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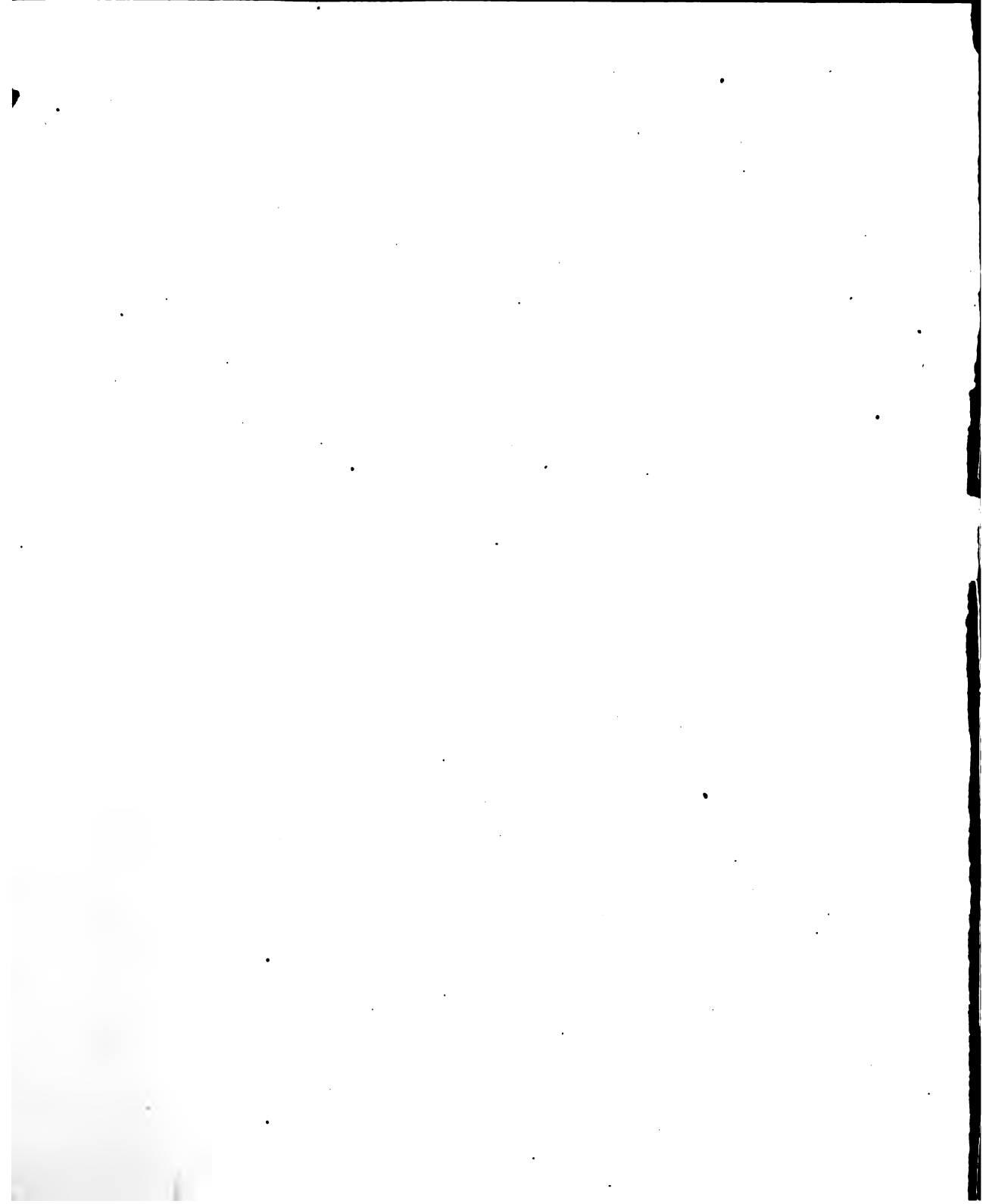
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THE

Publications of the Prince Society.

Established May 25th, 1858.

JOHN WHEELWRIGHT.



Boston:

PRINTED FOR THE SOCIETY,

By JOHN WILSON AND SON.

1876.

TEN COPIES, LARGE PAPER.

TWO HUNDRED COPIES, SMALL PAPER.

Rec. June 20, 1904

PLATE I.

I know all men by these presents that I Wabanowobit Sagamore of Piscata-
 wamache for good considerations made unto me hereby moving & for certain com-
 mends which I have received have granted & sold unto John Wilewough
 of Piscatawache, Samuel Hutchinson a Augustine store of Boston & Anna
 Calvert & Don of Piscatawache & John Compton of Roxbury and
 Nicholas Nixdore of Mount Wolliston, all the eight tithes & interest
 in all such lands, woods, meadows, rivers, brooks, springs as of right be-
 long unto me from Piscatawache river to the points of Piscatawache
 bounded as for South East side of Piscatawache river unto the
 goe into the country north-west thirty miles, to have & to hold
 the same to third a thirtieth times for ever only the ground is
 broken up excepted. In that it shall be lawful for the said
 Sagamore to hunt a fish & fowl in the said limits. In witness
 whereof I have hereunto set my hand & seal 3d day of April. 1638

Signed a. possession given & sold being present.

James
 Wilewough
 Wabanowobit

Samuel Hutchinson

Anna Calvert

John Compton

Nicholas Nixdore
 Lawrence Courpland

Wabanowobit
 Sagamore

Wheelwright, John

95

JOHN WHEELWRIGHT.

c#

HIS WRITINGS, INCLUDING HIS FAST-DAY SERMON, 1637,
AND HIS MERCURIUS AMERICANUS, 1645; WITH
A PAPER UPON THE GENUINENESS OF
THE INDIAN DEED OF 1629,

AND A

MEMOIR

By CHARLES H. BELL, A.M.

Boston:

PRINTED FOR THE PRINCE SOCIETY.

1876.

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CHARLES H. BELL, A.M.



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PLATE II.

Know all men by these presents of F. Prohonorant
 Ogamore of H. Sagabaka for a certain sum of
 money to me in hand payd 20 on Myranda's remedi-
 ties wch I have not as a litwys for on good say 88 2)
 Given In 88

Disraeli Edward
 Northcote
 William

Chenonville

July 3

Wm. A. D. D.

yes my
52

self government of the

PLATE III.

Know all men by these presents that I Watahantowit do hereby
 consent to the grant with mutation & to yield up as my
 right in the said purchased lands to the said mission
 for witness whereof I have hereunto set my hand the
 tenth day of April. 1639.
 I do likewise yield unto the for good occupation all the meadows
 a grounds adjoining for the space of one English mile on the East side of
 the said river. April. 10. 1639.
 These being present

me

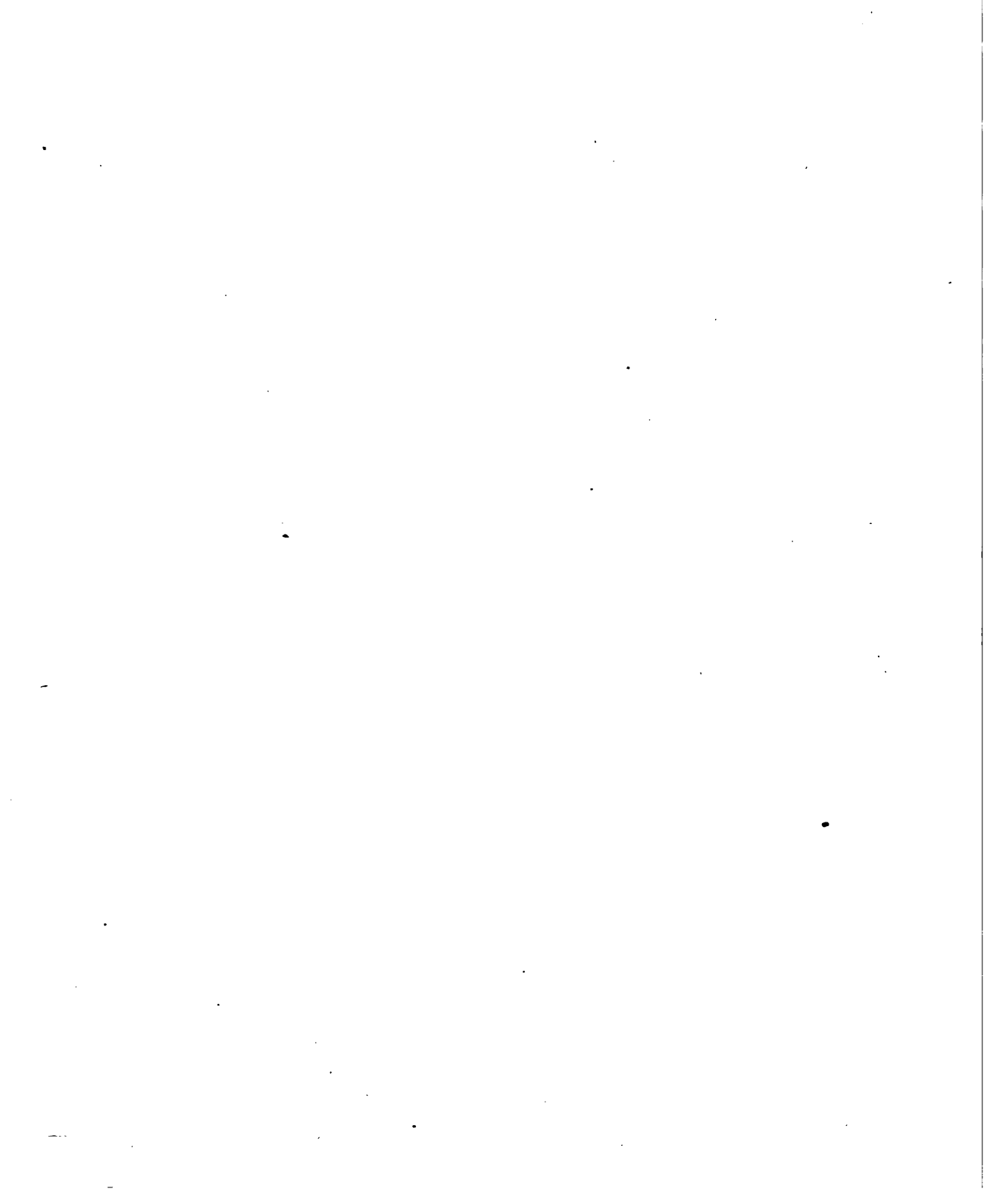


Watahantowit his

J. Underhill

his Son the

only Heir





PREFACE.



THE editor ventures to hope that the members of the Prince Society will find this volume, which contains documents not generally accessible even to scholars, a useful contribution to an important and interesting chapter of our early history. The Memoir has been prepared from materials, many of them existing only in manuscript, collected from all known sources of information on the subject in this country; supplemented by the fruits of such inquiry in England as time and opportunity allowed. Though necessarily meagre, it is the only approach to a complete biography of Wheelwright yet written; and will enable the historical student, it is confidently hoped, to form a juster estimate of the man and the influences by which he was surrounded here, than any other published account. The author of the Memoir has not withheld his opinions, where the expression of them seemed proper. Though they do not in all respects agree with those of some writers who have treated of the same subjects, yet they have been
formed

formed from undisputed facts, upon full consideration, and without known prejudice; and they are submitted as fully sustained by the historical evidence.

A half-century has passed since the Hon. James Savage first questioned the genuineness of the Wheelwright deed of 1629. In each edition of Winthrop's History of New England issued under his supervision, he introduced an elaborate argument to prove the deed spurious; and in his Genealogical Dictionary he declared his conviction to the same effect. Some other historical writers expressed the same views; notably John Farmer, Esq., in his edition of Belknap's New Hampshire, in 1831, and the Rev. Dr. J. M. Whiton, in his Sketches of the History of the State, in 1834.

Other gentlemen, conversant with the early affairs of this region, have entertained a different opinion. To say nothing of Governor William Plumer and Nathaniel Adams, Esq., both of whom controverted the positions of Mr. Savage, Samuel G. Drake, Esq., always retained full faith in the Wheelwright purchase, and asserted it repeatedly in his published writings; and the Hon. Chandler E. Potter not only declared, in his History of Manchester, N.H., his unhesitating belief that the deed was genuine, but projected and nearly completed a detailed reply to the arguments of Mr. Savage upon the subject. It is only proper to say that the grounds on which Colonel Potter contended for the truthfulness of the deed were, in almost all particulars, essentially different from those here advanced.

Within a few years the subject has been resumed by the Rev. John A. Vinton in a paper read before the New England
land

land Historic, Genealogical Society, and by the Rev. Dr. Nathaniel Bouton in a disquisition which has been pronounced before that and other kindred associations, — each taking ground against the genuineness of the Wheelwright deed; and the latter, at least, producing some new considerations in support of his opinion.

A monograph concerning Wheelwright would be obviously imperfect without a reference to this question, which has occupied the attention, and divided the opinions, of able historical inquirers. An attempt is made in this volume to state the argument in support of the disputed deed fully, which has never before been done, and fairly, so as to guard the reader against hasty conclusions. The paper here given was read before the New England Historic, Genealogical Society, upon the invitation of their Committee; and the fact that it appears substantially in the form in which it was delivered will explain some of its peculiarities of style.

The editor of this volume takes great pleasure in acknowledging the courtesy and kindness with which his applications for information and assistance have uniformly been met. He is especially indebted to the Rev. Edmund F. Slafter for many valuable suggestions, and for numerous services which have materially lightened the editorial task; to J. Wingate Thornton, Esq., for the generous use of rare volumes from his choice collection of early New England history; to John Langdon Sibley, Esq., for the privilege of transcribing and afterwards verifying the printed copy of *Mercurius Americanus*, a work of such rarity that it is not to be found in any New England library except those
of

of Harvard University and of the late Hon. George Brinley; to David Pulfifer, Esq., for copies from the Massachusetts Archives, and for the exercise of his unsurpassed knowledge of antique chirography in assuring the accuracy of the reprint of the Fast-day Sermon; to John Ward Dean, Esq., and Samuel F. Haven, Esq., for desirable information and useful suggestions; to Mrs. J. Farmer of Hingham for kindly allowing the use of the original deeds of 1638 for the purpose of making *fac-similes*; and to the Massachusetts Historical Society, the Congregational Library, and the New England Historic, Genealogical Society, for the opportunity of consulting books and manuscripts.

This record cannot be closed without a recognition of the editor's obligations to the late Samuel G. Drake, Esq., the first President of the Society under whose auspices this volume is produced. A descendant from Wheelwright and an earnest student of his times, Mr. Drake, though a model of industry, was always found ready, upon the editor's frequent applications, to impart from the stores of his own knowledge, to consult the authorities in his familiar library, and to suggest possible avenues for the acquisition of all needed information. His kind aid and encouragement will ever be held in grateful remembrance.

EXETER, NEW HAMPSHIRE,
February 29, 1876.





MEMOIR
OF THE
REVEREND JOHN WHEELWRIGHT.



HE birthplace of John Wheelwright was in that part of Lincolnshire known as the fens, on the eastern coast of England. The market town of Alford, in that county, situated twenty-four miles from the city of Boston, and about ten from the sea, is the centre of a cluster of hamlets, among which are those of Saleby, Mumby, and Bilsby. John Wheelwright was probably born at Saleby, where his father, Robert Wheelwright, lived, and died in 1612. John's grandfather, who bore also the name of John, died in Mumby the year before the death of Robert.

The exact date of John Wheelwright's birth has not been ascertained; circumstances render it probable that it was in the early part of the year 1592.¹ Little is known of his ancestors, except that they belonged to the great middle class

¹ Col. Joseph L. Chester, in *New England Historical and Genealogical Register*, where several facts given in the text were first published.

clafs of fociety which gave to our country fo large a proportion of her colonifts of enterprife and fterling worth. John's father was a landholder, and poffeffed fufficient means to enable him to give his fon a thorough education, and we may fafely affume that the boy exhibited bright parts, and a defire for knowledge.² At about the age of eighteen he was matriculated at the Univerfity of Cambridge.

No records of his college life have come down to us, but a gleam of light is thrown upon fome of his youthful characteristics by a reported remark of no lefs a perfonage than Oliver Cromwell, who was his fellow-collegian. "I remember the time," faid the Lord Protector, "when I was more afraid of meeting Wheelwright at foot-ball, than I have been fince of meeting an army in the field, for I was infallibly fure of being tripped up by him." To this may be added the ftatement of Cotton Mather, that he had heard that "when Wheelwright was a young fpark at the Univerfity, he was noted for a more than ordinary ftroke at wrefling."³ From this evidence it may be gathered that young Wheelwright was of vigorous bodily conftitution, addicted to athletic exercifes, and not lacking in fpirit or refolution.

He received at Sidney College his Bachelor's degree in 1614, and that of Mafter of Arts four years later.⁴ For feveral years after he left the Univerfity we have no definite information where or how his time was fpent; but as he had fallen heir to fome landed property in Lincolnfhire on the death of his father, and alfo adminiftered on his efate, it is probable

² 1 Sprague's American Pulpit, 83.

⁴ 8 Mass. Hift. Collections (3d se-

³ 3 Belknap's Hift. New Hampshire, ries), 248.
App'x No. 1.

probable that he found employment there. Another attraction would naturally have drawn him thither; he was paying his addresses to Marie Storre, his future wife, a daughter of the Rev. Thomas Storre, vicar of Bilbby. Some portion of his time he also employed in preparing himself for taking holy orders. On the eighth of November, 1621, he was married, and on the ninth of April, 1623, after the death of his father-in-law, was inducted, as his successor, into the vicarage of Bilbby.⁵

Thus educated, and permanently established in his chosen profession, among his friends and kindred, a husband and soon a father, if Wheelwright had been a man of less conscience and courage he would have been content with his lot, which promised him a life of respectability and ease. But he lived in an era of free inquiry into the authority of the dogmas and ordinances of his church. A widely-extended disposition was manifested among clergy and laity to refuse obedience to certain of the ecclesiastical requirements, upon the ground that they favored of papistry, and were without warrant in Scripture. Attempts to enforce compliance served only to confirm the recusants in their resistance. Many of the ablest and most conscientious men of the time were thus driven from the English church into the various forms of dissent. To these non-conformists of all shades of opinion the generic name of Puritans was applied, at first in derision, but afterwards as a grave, historic designation.

It was not in the nature of Wheelwright to keep aloof from the subjects which were so deeply agitating the religious community.

⁵ 21 N. E. Hist. and Gen. Register, 364.

community. His convictions impelled him into the Puritan ranks, and as he was of too frank and independent a spirit to leave his position in doubt, he unquestionably proclaimed his sentiments without reserve. But he must have felt that he was thenceforth liable at any hour to be ousted from his living and his home. He continually saw around him others quitting the land of their nativity, because of opinions similar to his own, to seek refuge on foreign shores. The question could not have failed to present itself frequently to his mind what course he should pursue in the not improbable event of his being driven to leave England.

Whether he actually took any steps toward providing himself a new home beyond the sea there is no absolute certainty. But for above a century all our history represented that he made a purchase of American lands, in 1629, from Passaconaway and other Indian sagamores, comprising more than an entire county in the present State of New Hampshire.⁶ If the statement is true, he must have left his parochial charge in England and crossed the Atlantic, to accomplish the transaction. In recent years it has been argued that no such purchase was made, and that the deed purporting to convey the lands was a forgery of later date and by other hands. Without presuming to pronounce positively upon the question in the present defective state of the evidence, it may well be doubted if the new-found arguments are sufficient to outweigh the authority of the old history. Not to interrupt the progress of our narrative, however,

⁶ For the authorities upon this subject, the reader is referred to the paper upon the Wheelwright deed of 1629, *infra*.

however, the discussion of this point has been reserved for a supplementary chapter.

Wheelwright held the vicarage of Bilby about ten years, and was a faithful and useful minister. "He was instrumental in the conversion of many souls," says Brook, "and highly esteemed among serious Christians."⁷ The fragmentary parochial records which have come down to us afford but scanty information concerning him during this period. His infant son William died in 1627; his daughter Catharine was baptized in 1628, and his daughter Mary was baptized and died in 1632. The transcripts of the Bilby records were signed by him as late as 1631, thus showing that his parochial charge continued till that date. In January, 1633, his successor was inducted, though according to the record Wheelwright had neither resigned nor been removed; apparently some cause existed which warranted his ecclesiastical superior in treating the vicarage as vacant.⁸ Whether this was owing to his Puritanical views, we have no means of ascertaining; but it is certain that either then, or shortly afterwards, Wheelwright was silenced for non-conformity.⁹

For the succeeding three years he appears to have had no fixed abode. For a time he lived privately near Lincoln; and he is heard of in the neighborhood of Anderby, hard by his old home in Lincolnshire. Though forbidden to exercise his clerical functions, he apparently made no secret of his religious convictions. He became recognized as a leading man

⁷ 3 Lives of the Puritans, 472.

⁹ Lives of the Puritans, *ubi supra*.

⁸ The language of the mandate is, "jam P'tie et de jure vacan."

man in the Puritan party, and ministered to their spiritual wants in a private way. During this period he made the acquaintance of a person who was shortly after to experience, like himself, the hardships of a frontier life in the western world, and who, whatever the errors of his earlier years,¹⁰ acquired an honored and revered name, at a later period, in the land of his birth. Hanserd Knollys, then a young man, attracted by the high repute of Wheelwright among his non-conformist brethren, visited him, and, after repeated conferences with him, felt constrained to adopt some of his religious views.¹¹

There can be little doubt that Wheelwright had been for some time contemplating emigration; and in the beginning of April, 1636, he embarked for New England. The wife of his youth had died, we know not how long before, and left him the care of young children, and he had again married. His second wife was Mary, daughter of Edward Hutchinson, of Alford;¹² and with her and his five children he landed at Boston, in the Massachusetts Bay, on the twenty-sixth of May, 1636. He did not find himself absolutely a stranger

¹⁰ Of the most serious delinquency imputed to Knollys, there is apparently no other evidence than hearsay. See 5 New Hamp. Hist. Soc. Collections, 175-7.

¹¹ Autobiography of Knollys, 18. Drake's Hist. Boston, 220, n.

¹² Ignorance of Wheelwright's second marriage has led several writers to wonder how he could have been a brother-in-law of Mrs. Hutchinson. There can be no doubt about the fact, however. Wheelwright's will shows that he was twice married; and, as we have

the best reason for believing that he did not remarry after his settlement in this country, he must have done so before his emigration. The name of his second wife was Mary, and that she was a Hutchinson, is proved by the expressions, "brother" and "sister," always used by both families in referring to each other. Moreover, the elder Mrs. Hutchinson accompanied Mrs. Wheelwright to Exeter and Wells, which, as she had other children in this country, she would never have done, unless the latter had been her daughter.

stranger in a strange land. The Rev. John Cotton, teacher of the church, he knew well by repute, and probably by personal acquaintance, in the old country; and Wheelwright's brother-in-law, William Hutchinson, with his wife Anne, who was soon to become one of the most noted characters in the Bay, had been resident in Boston about two years. On the 12th of June, 1636, Wheelwright, with his wife, was admitted to the church, and soon became highly esteemed, acquiring the confidence and support of many of the most considerable inhabitants of the colony.

Mrs. Anne Hutchinson was a woman of remarkable force of character, intellectual power, and acquirements, as well as of unaffected piety. As a nurse of the sick, especially in the ailments peculiar to her sex, she was singularly skilful, and cheerfully rendered gratuitous service to all who were in need; so that in the infant settlement, where few means of alleviating suffering were to be found, it is not strange that she came to be esteemed as little less than a ministering angel. In religion she was an enthusiast, and on points of speculative doctrine ran off into ideas widely variant from those generally entertained in the Massachusetts Bay. She held weekly meetings of the sisters of the church at her house, and discussed with them the subjects of the ministers' sermons. On these occasions Mrs. Hutchinson proclaimed and advocated her own peculiar tenets, and criticised those of the clergy, from which she dissented. It is reported that she claimed that those whose opinions accorded with her own were under "a covenant of faith," while she pronounced all the ministers of the Bay, except Cotton, whose teachings she

she had enjoyed in old England, and her brother-in-law Wheelwright, to be under "a covenant of works;"¹³ an invidious distinction, not calculated to conciliate the persons embraced in the latter category.

It is not deemed necessary or useful in this sketch to enter into a detailed explanation of the religious dissensions of that period.¹⁴ Their theological polemics, indeed, passed all modern understanding. Some recent writers have regarded them as mere jargon; differences of words without ideas; while others have gone to the opposite extreme of professing to see a higher meaning in them than the language employed naturally imports. The simple fact is that metaphysical discussion, of the least profitable kind, was the fashion of the time, and was adapted to the taste of the religious community. And there seems no reason for supposing that the disputation in the present instance possessed any peculiar esoteric significance. An examination of the Fast-day sermon, and of "Mercurius Americanus," in the present volume, will convince the reader how much that was merely speculative and how little that was capable of any practical application, entered into the religious controversies of the period.

Those

¹³ If Mrs. Hutchinson actually made this remark, it would not be just to assume that Wheelwright was willing to indorse it. The bandying of epithets is a branch of polemics in which no disputant ought to be held responsible for another's words.

¹⁴ Winthrop says that Mrs. Hutchinson "brought over with her two dangerous errors: 1. That the person of the Holy Ghost dwells in a justified person; 2. That no sanctification can help to evidence to us our justification."

He adds that "from these two grew many branches." It was the "branches," in other words, the inferences, which her opponents chose to draw from her avowed doctrines, that formed the chief ground of contention in the church and the community. It is doubtful if any persons could have been found in the country who held a quarter part of the "erroneous opinions" condemned by the Cambridge Synod.

Those who differed from Mrs. Hutchinson and her adherents applied to them the term "Antinomians;"¹⁵ to which they retorted by styling the others "Legalists." Wheelwright had been but few months in the country before he came to be considered the champion of the Antinomian party, though he never embraced the extreme views of Mrs. Hutchinson.¹⁶ Cotton also for a time sided with them, but was at length overborne by the opposition of his clerical brethren. In the Boston church were two men of learning, ability, and commanding position, who steadily opposed the Antinomian heresy,—the Rev. John Wilson, the pastor, and John Winthrop, one of the principal founders of the colony, and many years its governor; the latter singularly well qualified to deal with a difficulty that demanded the exercise alike of theological learning, prudence, and address.

It is problematical whether the enthusiastic notions disseminated by Mrs. Hutchinson would not have been suffered to die a natural death, as they would, probably, have speedily done, if unnoticed and unresisted, instead of being exalted into matter of importance by formal opposition; had not the governor of the colony, Henry Vane, been implicated in them. Vane was the heir of an aristocratic house in England, who had embraced the religious views of the Puritans, and in consequence thereof had come over, about a year before this time, to New England. He was able, well educated, and conscientious; and admiration for his character,

not

¹⁵ By some writers they are also called "Familists," though improperly, as would appear from the definition of the word.

¹⁶ 1 Savage's Winthrop, *201. Cotton's Way of the Congregational Churches Cleared, 60. 1 Felt's Ecclef. Hist. of New England, 349.

not less than his high birth, had induced the freemen of Massachusetts to elect him their governor, though yet but twenty-four years of age. It is not strange that the elevation to the chief magistracy of a mere youth, just arrived in the colony, with no ties to bind him permanently to her interests, should have been viewed with jealousy and apprehension by the gentlemen of mature years, who had embarked their lives and fortunes in founding the settlement of the Massachusetts Bay. And while there is no doubt that they considered his adoption of the extravagant tenets of Mrs. Hutchinson as proof of a disposition unfitted to exercise the duties of a chief ruler over the colony, it is equally clear that they recognized with satisfaction the fact that it afforded them a vantage-ground for dispossessing him of the reins of power. They knew that the vast influence which at that day belonged to the clerical calling could easily be turned, in all the churches outside of Boston, against the sectaries who spoke slightly of the great body of that profession, and was sufficient to arouse such a storm of opposition among the people as would sweep Vane and all the party with which he was identified from every place of authority. And perhaps it could hardly have been anticipated at that time that the adoption of this course would awaken in the colony a spirit which would not down at the bidding of the civil or ecclesiastical authority, but could only be crushed out by the strong hand.

The clergy were early in the field. On the twenty-fifth of October, 1636, four days after the first mention of the Hutchinson schism by Winthrop in his Journal, the word
had

had been passed through the ranks of the ministers, and they assembled in full conclave in Boston, to concert measures for dealing with the nascent heresy.¹⁷ Their meeting was shrewdly timed in the session of the General Court; for the civil power was also to be invoked, and who so competent to shape the views of the legislators as their spiritual guides? The ministers held an interview with Wheelwright and Cotton, both of whom gave them apparent satisfaction respecting their religious positions. What measures were adopted at the meeting did not transpire.

About the same time, some members of the Boston church, sympathizers with Mrs. Hutchinson, brought forward a proposal to have Wheelwright settled over them as a second teacher, in conjunction with Wilson and Cotton.¹⁸ To this plan Winthrop objected,—that the church was already well supplied with able ministers, and that Wheelwright had promulgated unsound doctrines. Governor Vane made some remarks in reply, in defence of Wheelwright, and Wheelwright himself explained the occasion of his expressing the views objected to. Winthrop rejoined that, though he himself might probably agree with Wheelwright, and “thought reverently” of his talents and piety, and could be content to live under his ministry, yet, as he was “apt to raise doubtful disputations, he could not consent to choose him to that place.” The friends of Wheelwright

¹⁷ 1 Sav. Winthrop, *201.

¹⁸ To avoid the necessity of frequent notes, it may be stated, once for all, that the account of the Antinomian controversy and proceedings against Wheelwright, here given, is based gen-

erally on Winthrop's Journal and the Short Story of the Rise, Reign, and Ruin of the Antinomians, &c. In cases where other authorities are relied upon, they are designated.

wright pressed the matter no farther; but, as several of the Boston communion were desirous to form a church at Mount Wollaston, where they resided and cultivated farms, it was voted, without objection, upon their application, that Wheelwright be assigned to them as their preacher. He at once commenced his pastoral labors at that place, afterwards called Braintree, now Quincy, eight or nine miles southerly from Boston.

It seems to have been systematically arranged that from this time forward the theological differences in the Boston church should never be suffered to slumber. Discussions were moved, in oral and written form, at brief intervals, in which the representatives of what may be called the Winthrop and Vane parties rekindled their opposition; there were repeated interpositions of the great body of the clergy; while Mrs. Hutchinson continued to hold her lectures, which were more fully attended than ever. The result was that, in the course of a few months, all the members of the Boston church, except two or three beside Wilson and Winthrop, had either become tinctured with the opinions of Mrs. Hutchinson, or at least had made up their minds to stand by her and her friends against persecution.¹⁹ When it is remembered that at the time Wheelwright was proposed as a teacher of that church, the party to which he belonged was not strong enough to carry the project, this change of sentiments

¹⁹ Cotton denies the statement of Baylie, in his *Diffuasive from the Errors of the Time*, that Boston was so far infected with Antinomianism "that few there were untainted." "It is one thing," says Cotton, "to speak in the de-

fence of erroneous persons, another to speak in defence of errors. Multitudes there were that thought well of the persons, who knew nothing of their errors," &c. — *Cotton's Way*, 87.

sentiments well illustrates the effect of opposition to a new religious dogma. The traveller in the fable only hugged more closely the cloak which the wind strove to wrest from him.

So far as appears, Wheelwright discharged his pastoral duties faithfully and acceptably at Mount Wollaston. Yet he was regarded as one of the foremost members of the Antinomian party, and was evidently marked to be made an example of by the powerful combination which was determined upon its downfall. On the nineteenth²⁰ of January, 1636-7, nearly three months after he had been assigned to the charge of the congregation at Mount Wollaston, a general Fast was kept throughout the colony, on account of various calamities abroad and at home, among the latter being the dissensions in the churches. On this occasion Wheelwright preached a sermon in Boston,²¹ which was made the occasion of extraordinary and harsh proceedings against him, on which account, as well as because it is one of his few surviving productions, it is included in this volume.

Respecting this discourse divers opinions have been expressed by later writers. While some, especially laymen, have been unable to discover in it any thing threatening, or encouraging injury to the state, others, and notably clergymen accepting the religious system of the Puritans, have regarded it as censurable and tending to mischief. The truth

²⁰ Winthrop states this, under date of the 20th; the copy of the sermon in the secretary's office gives the 16th as the day of its delivery, as does the *Glas for the People of New England*; but the records fix the day as the 19th.

²¹ 1 Felt's *Eccl. Hist.* 269. *Short Story*, &c. 52, paragraph 5. 1 Neal's *Hist. New England* (2d ed.), 186.

truth is that, like many productions of its class at that day, it contains frequent expressions susceptible of different interpretations. He who chooses to understand them in a literal sense may easily argue that they are violent and inflammatory;²² but, tested by the rules of construction usually applied to like productions, they must be adjudged, we think, to deal with nothing more substantial than symbolical swords and figurative firebrands.²³ And these, we apprehend, were then too common in every pulpit to suggest the idea of actual violence to the most vivid imagination. But the sermon was seized upon as the means of inflicting a blow upon a prominent representative of the obnoxious opinions.

On the ninth of the following March, the General Court assembled, attended by an advisory council of the clergy of the colony,²⁴ who had deferred all lectures for three weeks, in order that they might have no hindrance in making a final disposition of the Antinomian imbroglio. Wheelwright was sent for on the first day of the session; but it was not till two or three days later that matters were ripe for

²² Dr. Palfrey, in his valuable History of New England, attributes more incendiary qualities to the discourse than it actually proved to possess. In note (1) to page 479 of volume 1, he says: "It was perhaps, well, that this sermon was delivered at Braintree, and that the angry men whom it stimulated did not pass Winthrop's house in returning to their homes." In reality, the sermon was preached in Boston, within a stone's throw of Winthrop's house; and the fact that it led to no tumultuous demonstration of any kind may well induce those who have thought that danger

to the public peace and security was threatened by Wheelwright's teachings to give the subject a candid reconsideration.

²³ Wheelwright himself says in the sermon, "The children of God . . . must fight and fight with spiritual weapons, for the weapons of our warfare are not carnal, but spiritual."

²⁴ Samuel Groom, a Quaker, in his Glais for the People of New England, published at London in 1676, says the court consisted of "Henry Vane, Governor, Twelve Magistrates, Twelve Priests, and Thirty Three Deputies."

for his arraignment. He was then summoned before the legislative and judicial tribunal, and informed that he was sent for "to satisfy the court about some passages of his sermon, which seemed to be offensive." Thereupon was produced what purported to be a copy of his Fast-day discourse, and he "was demanded if he would own it."²⁵ He very naturally declined to accept the report of another, probably unfriendly, party as a true version of his language; but, meaning to stand by what he had said, he laid before the assembly his own copy of the sermon. He was then remanded, but desired to be ready when again called for.

The next day he was again cited before the Legislature. At this point a petition was presented, signed by more than forty members of the Boston church, praying that the Legislature, when acting as a judicial court, would sit with open doors, and would refrain from passing upon any questions of religious doctrine, which the ecclesiastical tribunals could settle. The petition was evidently in the interest of Wheelwright, and its prayer at the present day would be considered

²⁵ This "copy" must have been the result of an attempt to take down the language of Wheelwright "in characters," as the phrase was, by some shorthand writer of the day. This fact shows how closely Wheelwright's utterances were watched by those who fought for cause of offence against him. His preaching in Boston on that day appears to have been accidental. Cotton gave the regular sermon, after which Wheelwright, being present, was called upon to "exercise as a private

brother." — *Short Story*, 52. That he was to be in Boston was probably not generally known; that he would deliver an elaborate discourse no one could have foreseen; for, if that had been understood, it would have been mentioned by Winthrop, or some other contemporary. Yet there was the inevitable reporter, note-book in hand, resolved that nothing should fall from Wheelwright's lips that did not go down in black and white.

sidered eminently reasonable; but the Legislature made short answer to it on the back of the paper itself.

The examination of Wheelwright then began with closed doors. He was informed that the Court had considered of his sermon, and desired to ask him some questions "to clear his meaning." Wheelwright, in reply, inquired whether he was sent for as an innocent person or guilty. He was informed, "as neither, but as suspected only." He then asked who were his accusers. The Court answered, "his sermon, which being acknowledged by him, they would proceed *ex-officio*." At this expression, some of the friends of the accused, who were members of the assembly, exclaimed indignantly that the proceeding favored of the course of the High Commission,²⁸—a remark which was certainly not unjustified by the inquisitorial manner in which the arraignment was conducted. Wheelwright, apparently by advice of his friends, then declined to answer interrogatories, and was remanded.

In the afternoon he was again brought in. All the ministers were present, and, the doors being thrown open to the public, there was a great assembly. The Fast-day sermon was produced, and many passages read from it, which were acknowledged and justified by their author. Wheelwright was again inquired of, as he had been the day before, if he did not mean by the expression, "those under a covenant of

²⁸ This arbitrary tribunal, of unlimited power, was established during the reign of Queen Elizabeth. It is described in Hume's *England* and in Neal's *History of the Puritans*. The commission was authorized to administer

to any suspected person an oath called "*ex-officio*," which bound him to answer all questions, even though he might thereby be obliged to criminate himself.

of works," the ministers and other Christians of the churches in the colony. He would admit nothing of the kind, but answered sagaciously that, "if he were shown any that walked in such a way as he had described to be a covenant of works, them he did mean."²⁷

Finding he could not be drawn into a wholesale admission which suited their purpose, his prosecutors proceeded to examine witnesses about another sermon of his, which had given them cause of offence. The design of this step plainly was to obtain testimony that Wheelwright classed all those who disagreed with him in religious opinion as under a covenant of works; then, as he had in his Fast-day sermon denounced those coming under that description as Antichrists, unbelievers, and enemies of the Lord, it would follow that he intended to include the great body of the clergy and church-members in the denunciation; Q. E. D.²⁸

The

²⁷ Felt asserts, in 1 Eccles. Hist. 273 that Wheelwright confessed that he meant "his opponents in doctrine" by the expression "those under a covenant of works." But the authorities do not support this statement; that is, if we are to understand his opponents in doctrine to be the great body of the clergy in the colony. Throughout his examination, Wheelwright refused to admit that he so intended. Groom says that he bid the court prove their charges by Scripture; that he "offered to prove his Doctrine by Scriptures;" and that they "Arraigned him, Judged him, and Condemned him, but could not disprove his Doctrine," — *Glas for the People of N. E.* 4, 5.

²⁸ The only account we possess of the testimony alluded to in the text is de-

rived from Groom's *Glas for the People of New England*, pp. 6, 7. Richard Collicott, he says, bore witness that Wheelwright's "Use in his Sermon was to put a Difference between the Covenant of Works and a Covenant of Grace, and I do conceive that he did drive against the things now in question. And for the Light that is revealed by the Spirit, he did plainly and punctually say, That in that case there was nothing to be seen but the Glorious Light of the Spirit breaking in upon the Soul in an absolute Promise." According to the same authority, the testimony of William Spencer was as follows: "Wheelwright teaches that the knowledge of our Sanctification, as well as our Justification, is only by our Faith in Christ, and that in the Covenant of Grace nothing is revealed

The Court, having put in the evidence on this point, were prepared to propose, by way of climax, the final question to the clerical council, "Whether, by that which you have heard concerning Master Wheelwright's sermon, and that which was witnessed concerning him, ye do conceive that the ministers in this country do walk in and teach, such a way of salvation and evidencing thereof as he describeth and accounteth to be a covenant of works?" The elders desired a season for consideration before answering the question. Even in those contentious times it must have been difficult for some of them to persuade themselves that a conscientious, diligent, pious brother of their own order meant deliberately to class them with unbelievers and outcasts, simply on account of a difference of opinion upon some abstruse and subtle points of doctrine. But the success of the whole prosecution hung upon the reply they should give to the interrogatory submitted to them. A night sufficed to silence all scruples, and the next morning the ministers returned into court with an affirmative answer, "in the very words of the question," — all save Cotton concurring therein.

The Court had then no difficulty in coming to a resolution that Wheelwright was guilty of "sedition and contempt of the civil authority," which was duly entered of record.

But

vealed but Jesus Christ and his Righteousness freely given to the Soul, and the knowledge of it comes by Faith: and this is contrary to the Doctrine preached in New England, for it is commonly taught in New England, That a man may prove his Justification by his Sanctification." Collicott and Spencer were both members of the General

Court, and so judges of Wheelwright, as well as witnesses against him. We learn from the Short Story, 46, that the proceedings were all taken down by Wheelwright's special friends, "by characters." It is a matter of regret that their report has not been preserved to our day.

But we gladly welcome evidence that this result was not reached without extraordinary effort. William Coddington, a witness of the highest character, who was a member of the Court, has left his testimony that, with Governor Vane and himself, the majority of the magistrates and deputies were for two days opposed to the banishment of Wheelwright; "but the priests got two of the magistrates on their side, and so got the major part of them."²⁹

The opinion of the Court having been declared, Wheelwright was ordered to appear at the next session to abide sentence. It was then moved that he be enjoined from preaching in the mean time. This proposal to introduce in their new home one of the arbitrary measures which they had branded as intolerance not to be endured from the English church, the Legislature were wise enough to refer to the consideration of their spiritual advisers. A precedent so dangerous to their own independence was not likely to receive much favor from the elders; and they recommended that the matter be submitted to the church of Boston, who, it was well understood, would be in favor of giving the largest liberty of speech to their favorite brother.

Governor Vane and some of the magistrates and deputies who did not concur in the finding of the majority, requested that their dissent thereto might be placed upon the records; but this was refused by the Court. They then tendered a protest, which was also rejected, upon the plea that it justified

Wheelwright

²⁹ Letter of Coddington to Ralph Fretwell, 2 Felt's Eccl. Hist. 611. That this must refer to the present action of the Court is proved by the fact that Vane was out of the country before the final sentence was pronounced against Wheelwright.

Wheelwright and reflected upon the Court. The majority would, indeed, have allowed them to subscribe their simple dissent to the words of the record; but apparently they disdained any compromise.

A remonstrance was then speedily prepared, and signed by "above three score" persons, among whom were many of the principal inhabitants of the colony, and on the ninth of March presented to the General Court. As peremptory, and, in several cases, severe punishment was subsequently inflicted upon those who subscribed this paper, for their temerity in indulging in too much plainness of speech to the alleged "dishonor and contempt" of their rulers, it is thought advisable to insert the offensive article here in full, as an indication of the *animus* of the several parties.

Wee whose names are under written (have diligently observed this honoured Courts proceedings against our deare and reverend brother in Christ Mr. *Wheel.* now under censure of the Court, for the truth of Christ) wee do humbly beseech this honourable Court to accept this Remonstrance and Petition of ours, in all due submission tendred to your Worships.

For first, whereas our beloved Brother Mr. *Wheel.* is censured for contempt by the greater part of this honoured Court, wee desire your Worships to consider the sincere intention of our Brother to promote your end in the day of Fast, for whereas wee do perceive your principall intention the day of fast looked chiefly at the publick peace of the Churches, our Reverend Brother did to his best strength, and as the Lord assisted him, labour to promote your end and therefore indeavoured to draw us neerer unto Christ, the head of our union, that so wee might bee established in peace, which wee conceive to bee the true way, sanctified of God, to obtaine your end, and therefore deserves no such censure, as wee conceive.

Secondly, Whereas our deere Brother is censured of sedition, wee beseech your Worships to consider that either the person condemned must bee culpable of some seditious fact, or his doctrine must bee seditious or must breed

breed sedition in the hearts of his hearers, or else wee know not upon what ground hee should bee censured. Now to the first, wee have not heard any that have witnessed against our brother for any seditious fact. Secondly, neither was the doctrine it self, being no other but the very expressions of the Holy Ghost himselfe, and therefore cannot justly be branded with sedition. Thirdly, if you look at the effects of his Doctrine upon the hearers, it hath not stirred up sedition in us, not so much as by accident ; wee have not drawn the sword as sometimes *Peter* did, rashly, neither have wee rescued our innocent Brother, as sometimes the Israelites did *Jonathan*, and yet they did not seditiously. The Covenant of free grace held forth by our Brother hath taught us rather to become humble suppliants to your Worships, and if wee should not prevaile, wee would rather with patience give our cheekes to the smiters. Since therefore the Teacher, the Doctrine, and the hearers bee most free from sedition (as wee conceive) wee humbly beseech you in the name of the Lord Jesus Christ, your Judge and ours, and for the honour of this Court and the proceedings thereof, that you will bee pleased either to make it appeare to us, and to all the world, to whom the knowledge of all these things will come, wherein the sedition lies, or else acquit our Brother of such a censure.

Further, wee beseech you remember the old method of Satan, the ancient enemy of free Grace in all ages of the Churches, who hath raised up such calumnies against the faithfull Prophets of God. *Eliab* was called the troubler of *Israel*, *1 King*. 18. 17, 18. *Amos* was charged for conspiracy, *Amos*, 7. 10. *Paul* was counted a pestilent fellow, or moover of sedition, and a ring-leader of a Sect, *Acts*, 24. 5. and Christ himselfe, as well as *Paul*, was charged to bee a Teacher of New Doctrine, *Mark*, 1. 27. *Acts*, 17. 19. Now wee beseech you consider, whether that old serpent work not after his old method, even in our daies.

Further, wee beseech you consider the danger of meddling against the Prophets of God, *Psal.* 105. 14, 15, for what yee doe unto them the Lord Jesus takes as done unto himselfe ; if you hurt any of his members, the head is very sensible of it : for so saith the Lord of Hosts, Hee that toucheth you, toucheth the apple of mine eye, *Zach.* 2. 8. And better a mill-stone were hanged about our neckes, and that wee were cast into the sea, then that wee should offend any of these little ones which beleve on him, *Mat.* 18. 6.

And

And lastly, we beseech you consider how you should stand in relation to us, as nursing Fathers, which give us encouragement to promote our humble requests to you, or else we would say with the Prophet, *I/a. 22. 4.* Looke from me that I may weep bitterly, Labour not to comfort me, &c. ; or as *Jer. 9. 2.* O that I had in the Wildernesse a lodging place of a way-faring man. And thus have we made knowne our griefes and desires to your Worships, and leave them upon record with the Lord and with you, knowing that if we should receive repulse from you, with the Lord we shall find grace.²⁰

It is needles to say that the remonstrance produced no signs of relenting among those who were carrying on the prosecution against Wheelwright.

The next meeting of the Legislature was held on the succeeding seventeenth of May. It was the time of the general election of colonial officers. The party opposed to Vane and the Antinomian movement, and determined to replace Winthrop in the gubernatorial seat, had left no stone unturned to secure success at the polls. Their own strength lay in the country; their opponents' in the capital. They had procured the place of election to be changed from Boston, where the almost universal feeling in favor of Vane might have exercised much influence on the result, to Newtown, now Cambridge. They had also taken care that the freemen from the distant towns, notwithstanding they were permitted by law to send in their votes by proxy, should be present in person in sufficient numbers to insure the predominance of their party in any contingency.

It was manifest at the outset that Vane's supporters were outnumbered. When he proposed, before proceeding to the choice

²⁰ Short Story, 21.

choice of officers, to read a petition from the people of Boston, intended, probably, to take the sense of the great body of the freemen in regard to the action against Wheelwright, the other party demanded that he should at once go on with the election. In a warm debate upon the subject, Wilson mounted a tree, and delivered to the surrounding crowd "the first stump speech" uttered in America. The majority voted to pass over the petition in behalf of Wheelwright unread; Winthrop was chosen governor, and Vane and his friends were relegated to private stations. An order was even passed by the dominant party, which could not have failed, as it was clearly intended, to touch Vane to the quick, that "no man should ever after be made governor, before he had been one whole year in the country, at least."²¹ It is not strange that the excitement ran high on that day, for so sharp a contest had never before been witnessed in any political election in New England.²²

Further action in the case of Wheelwright was again deferred until the next session of the General Court in August; and he was informed that, if in the mean time he would retract his obnoxious opinions, he might expect favor, but not otherwise. Wheelwright replied boldly that, if he were guilty of sedition, he ought to be put to death; and that if the Court intended to pass sentence upon him, he should appeal to the king, "for he could retract nothing."

The

²¹ 1 Hutchinson's Hist. Mass. (3d Am. ed.) 65; Hubbard's New England, in 5 Mass. Hist. Soc. Collections, 2d series, 235.

²² Winthrop says there was "danger of tumult;" there were "fierce speeches," and "some laid hands on others." — 1 Sav. Wint. *220. These expressions

The excitement on the subject was kept alive in the interval by the issue of a public vindication of the Court in their action against Wheelwright, which, as a matter of course, called forth a "small tractate" by the latter in defence of his doctrines. A voluminous paper controversy then ensued, to which various writers contributed.³³ Wheelwright still kept his pulpit at Mount Wollaston; and it has been deemed worthy of mention that, on the occasion of a Fast held in May, his friends, Vane and Coddington, went out from Boston, and passed the day with him there.

On the following twelfth of July, a brother of Mrs. Hutchinson, and some others of Wheelwright's friends, arrived in Boston from England.³⁴ Among the measures designed for the extirpation of Antinomianism from the Bay, a law had recently been passed forbidding new-comers to live in the colony for a longer time than three weeks without the written permission of one member of the council, or of two other

sions have been cited as evidence that there was actual danger to be apprehended that the Antinomians might attempt to overturn the government by violence. Surely no contested parliamentary election in England ever passed off with so much forbearance and respect for the public peace. Winthrop, who never failed to record the smallest ordinary casualties, and would be sure to make the most of this occasion, does not intimate that so much as a black eye was given among the whole body assembled. But, if violence *had* been attempted, is it not questionable whether a large share of the responsibility for it would not justly fall upon

Wilson, for his vehement, secular harangue?

³³ None of these pieces were printed at the time, for as yet there was no press on the continent north of Mexico. They were passed around in manuscript, according to the custom of the time. The Apology for the General Court afterwards appeared in the Short Story, and it is probable that Wheelwright's tractate constituted the foundation of *Mercurius Americanus*.

³⁴ It is not known who these were, but it is not unlikely that some of them were Wheelwright's former parishioners and neighbors, who were found with him the next year at Exeter.

other magistrates.³⁵ Wheelwright's friends obtained leave from Governor Winthrop to remain four months, but no longer.

In August, matters were not ripe for final action against Wheelwright, and he was enjoined to appear further at the next session of the Legislature in November.

Two days afterward, Vane set sail for England. He would have been more than human if he had not felt hurt and indignant at the treatment he had undergone at the hands of some of his opponents in New England. But he showed his magnanimity by forgetting it, and in after years by rendering valuable service to the people who had disparaged him. His departure deprived the Boston party of its head; and those who wielded the power of the colony felt that they could now deal with the recusants at their pleasure. In the belief that it was a favorable time to bring them into conformity, the clergy labored anew with the "opinionists." A private difficulty between Cotton and Wheelwright, on the one part, and Wilson on the other,

was

³⁵ This enactment caused much discontent. It was so repugnant to Cotton that he meditated quitting Massachusetts on account of it. Governor Winthrop found it necessary to apologize for it by an elaborate written Defence, to which Vane replied in a Brief Answer, declaring the law to be hostile to the principles of civil and religious liberty, and making out so strong a case that Winthrop felt called on to put forth an extended Reply. Here the discussion was terminated by Vane's departure from the country. The three

productions are given at large in Hutchinson's Collection, 67-100. It is a curious circumstance, pointed out by George H. Moore, LL.D., in 13 Historical Magazine, 29, that Groom, in his Glasp for the People of N. E., has copied a portion of the Brief Answer as Wheelwright's testimony against the law. We are not inclined, however, on that evidence, or from the style of the paper itself, to attribute the authorship to Wheelwright, but believe that Hutchinson is right in ascribing it to Vane.

was thus reconciled ; but the general religious differences had become so widened by controversy and persecution that it was now too late to bridge them over.

A general assembly of the elders of all the churches was now resolved upon,—a measure which had been several months in contemplation.³⁶ “It was appointed,” says Weld, “in great part for the satisfaction of the people.”³⁷ It was hardly expected, perhaps, that its decrees would bring all the heterodox into line again ; but it would certainly strengthen the hands of the civil authorities in adopting a stringent course with the intractable. This was the first Synod convened in New England, and its session began at Newtown on the thirtieth of August, 1637. It was composed of about twenty-five ministers, being “all the teaching elders through the country,” and some just arrived from England and not yet settled here, together with many laymen. The magistrates were also present, and the doors were open to all. For twenty-four days this ecclesiastical council continued in session ; in the forenoons they framed their arguments, and in the afternoons produced them in public. One week they gave to the confutation of eighty-two “erroneous opinions,” which they alleged to have been brought into New England, and “spread underhand there.” Next they proceeded to discuss and condemn nine “unfavourable speeches,” which they assumed to be of Antinomian origin.

Wheelwright attended the meetings of the Synod ; but we have no means of knowing exactly what part he took in the

³⁶ Cotton's Way, 40.

³⁷ Preface to Short Story.

the proceedings.³⁸ There were five points, however, in which he and Cotton disagreed with the rest of their clerical brethren;³⁹ and apparently the erroneous opinions and unfavourable speeches, except so far as they might include those points, had no application to him. The Synod was not unanimous or strictly harmonious;⁴⁰ and, if any believed that its edicts would have much effect upon those against whom they were fulminated, the result proved otherwise. Cotton, indeed, could not withstand the pressure that was put upon him; but there was scarcely another prominent member of the Antinomian party who was not rather confirmed than shaken in his faith.

The moral tufts of grafts having failed of their purpose, the rulers of the Bay now determined to resort to sterner measures. The first thing was to make sure of the General Court. The deputies were probably found to be unsuited to the kind of work required of them, and the extraordinary course of a new election was adopted.⁴¹ On the second of November, the Legislature, fortified by the new members selected for the purpose, came together, with the determination to rid the colony of the sectaries who would not be
dragooned

³⁸ The debates and proceedings of the Synod were taken down in shorthand, and afterwards written out for publication by John Higginson, who was employed for the purpose by the magistrates and ministers.—*Ellis's Life of Anne Hutchinson*, 261. The manuscript was never printed, but was extant in 1743, the date of the publication of Dr. Charles Chauncey's *Seasonable Thoughts on the State of Religion in New England*; but it is not known to be now in existence.—See 13 *Historical Magazine*, 26.

³⁹ 1 Savage's Winthrop, *239.

⁴⁰ 13 *Historical Magazine*, 27; 1 Savage's Winthrop, *238.

⁴¹ It appears that the General Court adjourned during the session of the Synod and met again on the twenty-sixth of September. It was then *dissolved*, and a new one ordered to be summoned.—1 *Mass. Colonial Records*, in *loco*. This fact is mentioned in emphatic terms in 1 Backus's *History of New England*, 84.

dragooned into the abandonment of their convictions. They began with Wheelwright's friends in their own assembly. William Aspinwall, a deputy from Boston, who drew the petition in favor of Wheelwright, which had been presented on the ninth of the preceding March, was asked if he still adhered to its sentiments, and replied that he did. A vote for his expulsion was immediately passed. Upon that, John Coggeshall, one of his colleagues, rose in his place, and declared that, though he did not sign that petition, yet he approved of it; and, as they had ousted Aspinwall, they "had best make one work of all." The Court took him at his word, and sent him off with the other. Not content with this, they rejected a deputy elected in place of one of the extruded members, because he was a signer of the petition. The stanch Coddington rode out the storm, though he ineffectually made a motion to repeal the act of censure against Wheelwright.

The Court then cited Wheelwright to appear forthwith. Upon his presenting himself, they inquired if he was ready to confess his offences. He replied that he was not guilty; that he had preached nothing but the truth of Christ, and he was not responsible for the application which they chose to make of it. After haranguing him at some length, receiving no other reply, the Court passed sentence upon him as follows: "Mr. John Wheelwright being formerly convicted of contempt and sedition, and now justifying himselfe and his former practise, being to the disturbance of the civil peace, hee is by the Court disfranchized and banished."

From this sentence Wheelwright claimed an appeal to the king. The Court refused to entertain the motion, upon
the

the ground that their charter gave them final jurisdiction. He was then asked if he would give security for his peaceable departure from the colony. This he declined to do, and the Court ordered him into the custody of the marshal.

A night's reflection convinced the prisoner of the uselessness of contending with the power of the Court, and the next morning he made no objection to the passing of sentence upon him. The order for his disfranchisement and banishment was allowed to stand, and he was permitted to go at large upon his promise that, if he did not leave the jurisdiction within a fortnight, he would surrender himself to Captain Israel Stoughton, at his house, "to be kept till hee be disposed of;" while one of his parishioners, Atherton Hough, undertook to satisfy any charge that Stoughton or the Court should be at. Another attempt was made to silence Wheelwright by interposing a stipulation that he should not preach during the fourteen days of his stay; but, as he flatly refused to assent to the condition, it was judged not prudent to insist upon it.

The "arch-herefiarch" being disposed of, the authorities next turned their attention to his advocates and followers. Some they disfranchised; others they banished from the jurisdiction, or fined; and a great number they disarmed, thus inflicting a peculiar indignity upon them, besides depriving them of the means of defence, at that time of prime necessity. The upshot was that no small portion of the men thus harshly treated shook the dust of Massachusetts from their feet, and went their way into other parts of the country.

Thus terminated these extraordinary proceedings against
Wheelwright.

Wheelwright. Attempts have been made to justify them on "the tyrant's plea" of necessity; but it is difficult to see in the annals of the times, though written by Wheelwright's most active and strenuous opposers, any good grounds of apprehension for the safety of society or the state, growing out of his teachings or conduct. And it is a significant fact that no apologist for his prosecution, from that day to this, has been able to speak of it in language of unqualified approval.

Fortunately for Wheelwright, though excluded from Massachusetts, he was at no loss for a place of refuge. The Puritans of Rhode Island urged and expected him to go and settle amongst them as their minister.⁴² But, though a "far richer soyle and richer company" awaited him there, he did not think fit to comply with their invitation. His eyes were turned in the opposite direction, toward the virgin forests of New Hampshire.

Pascataqua was then the general designation applied by people residing elsewhere to the region bordering on the river of that name⁴³ and its chief tributaries, of which the Squamscot is one. Wheelwright no doubt quitted Massachusetts within the time limited in his sentence of banishment, and proceeded forthwith to that part of New Hampshire. It is supposed that he went from Boston coastwise in a vessel of John Clark, afterward of Rhode Island, one of his sympathizers, who made a voyage of inspection of the country lying to, the northward, at that time.⁴⁴ From the

⁴² Callender's Rhode Island (4 R. I. Hist. Soc. Collections), 116; 1 Felt's Eccles. Hist. 557.

⁴³ Also formerly called Pascataquack, now known as Piscataqua.

⁴⁴ 1 Backus's Hist. New England, 88, 89.

the mention made by Wheelwright of the difficulties of the way,⁴⁶ it seems that he probably accomplished some part of the journey by land, — perhaps from Strawberry-bank, now Portsmouth, — to his destination in the interior. It was the beginning of a long and rigorous winter, and the snow lay, from the fourth of November till the fifth of the succeeding March, a yard deep beyond the Merrimac; and “the more north the deeper,” according to Winthrop. It was, in truth, a dreary introduction of the exile to his new abode.

There is no reason to suppose that he had any hesitation whither he should direct his course; and it is probable that he proceeded, as soon as the season permitted, to the falls of the Squamscot, the site of the present town of Exeter. Here a quiet, inland stream united its waters with the tides from the sea, over rocky rapids, where the Indians captured the active salmon, and which offered to the English a motive power invaluable to their proposed settlement. Here also was lumber in abundance, with a tolerable proportion of grass-bearing marshes and natural meadows. These attractions were sufficient, according to tradition, to draw to the spot two or three adventurous pioneers, before the arrival of Wheelwright's party; and the general belief of local antiquaries supports the tale. To this day depressions in the soil on the east side of the river, below the falls, are pointed out as the sites of the habitations, long fallen to decay, of the earliest settlers of Exeter.

With these hardy frontiersmen, or at Edward Hilton's plantation of Squamscot, a few miles down the river, Wheelwright

⁴⁶ *Mercurius Americanus*, *24, where, contraction, “Pascal,” is used for “Pascalas well as in the Short Story, 43, the cataqua.”

Know all men by these p^rsents y^t I Wehanownowitt Sagamore of Puschataquaque for a certajne some of money to mee in hand payd & other m^cchandable commodities wch I haue recd as likewise for other good causes & c^onsiderations mee y^r unto spetially mouing, haue granted barganed alienated & sould vnto John Wheelwright of Pischataqua & Augustine Storr of Bostone all those Lands woods Medowes Marshes rivers brookes springs wth all the app^rtenances emoluments p^ritts commodities there unto belonging lijng & situate within three miles on the Northerne side of y^r river Meremake extending thirty miles along by the river from the sea side, & from the sayd river side to Pischataqua Patents thirty Miles vp into the countrey North West, & soe from the ffalls of Pischataqua to Oyster river thirty Miles square ev^y way, to haue & to hould the same to them & y^r heyres for euer, only the ground wch is broaken vp is excepted & it shall bee lawfull for y^e sayd Sagamore to hunt fish & foule in the sayd lymitts. In witnesse w^of I haue hereunto sett my hand & seale the third day of Aprill 1638

Signed sealed &
deliv^ed & possession given
In the p^rsence of

JAMES	{	man holding hatchet.	}	his m ^r ke	ASPAMABOUGH	{	bow and arrow.	}	his m ^r ke.
-------	---	----------------------------	---	-----------------------	-------------	---	----------------------	---	------------------------

EDWARD CALCORD	WEHANOWNOWIT	{	man holding tomahawk.	}	his m ^r ke.
NICHOLAS NEEDHAM					
WILLIAM FURBAR	PUMMADOCKYON	{	man holding bow and arrow.	}	his m ^r ke.
	the Sagamores Son				

Upon the latter instrument was indorsed, a year afterwards, the grant of Watohantowet of his right to the same and some additional lands, in these words: —

Know

Know all men by theſe p^rſents that I Watohantowet doe fully conſent to the grant within written & do yeild up all my right in the ſaid purchaſed lands to the ptys w^hin written In witneſſe whereof I haue herevnto ſet my hand the tenth day of April 1639.

I doe likewiſe grant vnto thẽ for goode conſideration all the meadows & grounds extending for the ſpace of one engliſh mile on the Eaſt ſide of Oyſter river. April 10. 1639.

Theſe being p^rſent

JO: UNDERHILL

his C^l m^rke

DARBY FIELD.

" WATOHANTOWET { an
armleſſ } his m^rke.
man }

It was a matter of courſe that Wheelwright, before leaving Boſton for the purpoſe of eſtabliſhing himſelf in the almoſt untrodden wilderneſs beyond the Merrimac, ſhould have had an underſtanding that ſuch of his friends as were willing to ſhare his fortunes would follow him at the earlieſt practicable moment. Accordingly, we find included as grantees in the conveyances from the Indians his two brothers-in-law, Samuel Hutchinson and Auguſtine Storre, and John Compton and Nicholas Needham, one or both his late pariſhioners, all of whom, probably, had a part in the formation of the new colony. And already, before the opening of the ſpring, he had gathered the nucleus of a plantation, no leſs than ſix Engliſhmen being on the ſpot to atteſt his purchaſe from

" The name Watohantowet was unaccountably miſread "Watchanowet" by Farmer, and is ſo given in 1 New Hampshire Hiſt. Soc. Collections, 147. The name of Pummaddockyon, on the face of the ſame inſtrument, was in like manner changed into "Tummaddockyon;" and the two perſons have thus gone miſnamed into hiſtory. There

were other miſtakes made in tranſcribing the deeds, one of which is of conſequence. In the firſt deed, the latter part of the deſcription heretofore printed, "ſo to goe into the Countrey north-Weſt thirty miles *as far as the eaſte line,*" ſhould read, "*as far as oyſter river.*"

from the natives,—James Wall, William Cole, Lawrence Copeland, Edward Colcord, Nicholas Needham, and William Furber,—most if not all of whom became actual settlers.

The able-bodied, energetic, self-reliant Wheelwright was admirably fitted to lead the enterprise of planting a settlement in the wilderness. And little time elapsed before he was surrounded by a company of followers large enough to insure the success of his project, and embracing men abundantly qualified to second him in his endeavors. They laid the foundations of their future home in orderly and permanent fashion. The lands purchased from the native proprietors were from the outset held by the grantees in trust for the whole body of the settlers and as their property. At first a portion only of the soil was allotted to them, according to some fixed proportion, and other parts were afterwards, from time to time, disposed of by the town to supply the needs of new-comers. The names of more than thirty men appear in the first assignment of shares of land. In the division of the uplands, Wheelwright received "80 acres, one end butting upon the river Eastward, & the other end running into the majne, six score poole in Length." And in the apportionment of marsh-land, there was allotted "to o^r pastor 8 acres 3 quarters bee it more or lesse."⁴⁸

Sufficient places of shelter were among the first needs of the immigrants, and must soon have been provided, in some rude fashion, at least, for the accommodation of the gentler sex.

⁴⁸ Exeter Records, from which most of the facts concerning the early history of the place have been derived.

sex. Wheelwright's wife, with his children, and her mother, Mrs. Sufanna Hutchinson, then a widow, left Massachusetts in season to reach the embryo village on the Squamscot in the early spring of 1638;⁴⁹ and little doubt can be entertained that they were attended or soon followed by the families of the other husbands and fathers, who had taken up their abode there.

Among a body of men, of whom most were earnest members of the Puritan church, and not a few had been persecuted for their religious sentiments, headed by a minister of remarkable learning, power, and piety, it was to be expected that no delay would be tolerated in making ready for suitable and regular gospel worship. Accordingly, we find that a church was gathered the first season.⁵⁰ A place of worship was built, whose site was on the northern skirt of the present village of Exeter, and was begirt, in the manner of that day, with a yard, used as a place of sepulture. Its location is fixed, as well by human bones which have since, from time to time, been exhumed there, as by the name of "Meeting-house

⁴⁹ 1 Savage's Winthrop, *259.

⁵⁰ Ibid. *281. In December, 1638, Wheelwright and eight others applied to the Boston church for dismission therefrom to the church at Exeter, which was granted the sixth of the following January. The records of the first church in Boston contain this entry: "6 of 11th moneth, 1638. This day dismissions granted to o^r Brethren M^r John Wheelwright, Richard Morrys, Richard Bulgar, Philemon Portmort, Isaac Groffe, Christopher Marshall, George Baytes, Thomas Wardall & Willyam Wardall, vnto y^e Church of Christ at y^e ffalls of Paschataqua, if

they be rightly gathered & ordered." And that no question could be raised respecting the "rightful gathering and ordering" of that church would seem to be sufficiently proved by the following unconditional action of the Boston church, less than two months later: "3 of the 1st mo. 1639. This day granted to these sifter vnto y^e forenamed church at y^e ffalls now called Exeter; Sufanna Hutchinson, widdowe, Mary, y^e wife of M^r Wheelwright, Lenora y wife of Richard Morrys, Henry Elkin, our brother, and to Mary his wife o^r sifter."

house Hill," that for a long time clung to a slight elevation adjacent.

If the great object of the authorities of Massachusetts in ridding themselves of Wheelwright and his followers had been, as some writers now contend, to protect their colony from the danger of civil commotion, it would surely seem that their purpose was accomplished when those dreaded intruders had withdrawn from the jurisdiction, and established themselves elsewhere. But there was a feeling against them which was not sated by their expulsion, but grudged them a friendly reception in their distant retreat. In September, 1638, the General Court of Massachusetts directed the governor to write to the people of Pascataqua, taxing them with unneighborly conduct in aiding Wheelwright to begin a plantation there, when he had been cast out from the Bay; and the governor prepared and forwarded a letter of the desired import.⁵¹

Such a communication was certain to reach the ears of the struggling company at Exeter, and must naturally have had the effect of estranging them farther than ever from the government of Massachusetts. The jealous feeling thus engendered was manifested in repeated instances afterward. It is likely that it gave the tone to the notification, which, in the early part of 1639, Wheelwright forwarded to the authorities of the Bay, that the settlers of Exeter had bought of an Indian (Wehanownowit) a tract of land, which included Winicowet, now Hampton, and that the purchasers intended to lot it out into farms, unless Massachusetts could show a better title.⁵²

This

⁵¹ I Savage's Winthrop, *291, *292.

⁵² Ibid. *290.

This was a home-thrust at their southern neighbors, who had even then begun to nourish the ambition for enlarging their territory, which involved them afterwards in protracted difficulty and litigation, and who had already set up a claim to Winicowet itself. They, therefore, in their reply to Wheelwright, complained of the interference with lands, which they alleged came within their charter, or, at least, had been taken possession of by them when vacant two years before. They also laid down the law in regard to the Indians' title to the soil, much as it has always been accepted since; that they had "only a natural right to so much land as they had or could improve, so as the rest of the country lay open to any that could or would improve it."

The Exeter proprietors, in reply, still claimed the lands by virtue of their purchase from the natives. But the Massachusetts rulers had, in the mean time, ascertained by actual exploration that, by a somewhat artificial construction of the language of their charter, it might be held to include the whole of the Pascataqua country, including not only Winicowet, but Exeter also. So they rejoined that, though they still held that their prior possession was good against the Indian title, yet they were content to rest their claims upon their patent,⁵³ understanding that the people of Exeter made no pretensions to any lands which fell therein. The little controversy appears to have been terminated by the occupation of Winicowet, later in the same season, by a company under the authority of Massachusetts.

The feeble settlements of New Hampshire now languished for want of a general government. John Mason, the patentee

⁵³ 1 Savage's Winthrop, *303.

entee, had died in 1635, and no steps had been taken by his heirs towards the organization, under a single head, of the detached plantations on the Pascataqua and its branches. It is not strange, therefore, that the people of the older towns, tired of the experimental self-rule, which had failed to give them consideration abroad or quiet at home, were anxious to take refuge under the strong arm of the adjacent colony. The inhabitants of Dover and its vicinity, in 1639, made application to be received under the jurisdiction of Massachusetts, and satisfactory terms of union were agreed upon; but for some cause the junction was not effected till two or three years later. The people of Exeter made also a proposal of like character; but not relishing the terms offered, and possibly having some misgivings about the wisdom of putting themselves in the power of Massachusetts, they "repented themselves," and withdrew their application.⁵⁴

Necessity sometimes makes laws, if she oftener ignores them. As the population of Exeter increased in numbers, and came to include those who specially needed the restraints of rule, some form of civil constitution became indispensable. A combination, as it was called, for self-government was drawn up by Wheelwright, and signed by himself and the members of the church and other inhabitants, in the following terms:—

Whereas it hath pleased the lord to moue the heart of our Dread Sovereigne Charles, by the grace of god king of England, Scotland, France & Ireland, to grant licence & liberty to fundry of his subjects to plant themselves in the Westerne partes of America: Wee his loyall subjects, brethren of the church of Exceter, situate & lying vpon the riuier of Piscataquacke, wth other inhabitants there, considering wth our selves the holy will of god
and

⁵⁴ 1 Savage's Winthrop, *319.

and our owne necessity that we should not liue wthout wholesome lawes & ciuil governme^t amongst vs, of w^h we are altogether destitute, doe in the name of christ & in the sight of god, combine our selves together to erect & fet vp amongst vs such Governement as shall be, to our best discerning, agreeable to the will of god ; professing our selves subjects to our Sovereigne Lord King. Charles, according to the libertys of our English Colony of the Massachusets, & binding our selves solemnly by the grace & helpe of christ & in his name & feare, to submit our selves to such godly & christian laws as are established in the Realme of England, to our best knowledge, & to all other such lawes w^h shall vpon good grounds be made & inacted amongst vs according to god, y^t we may liue quietly & peaceably together in all godlynefs and honesty :

Mon: 5th, d. 4th, 1639.

JOHN WHELEWRIGHT,
AUGUSTINE STORRE,
THOMAS WIGHT,
WILLIAM WANTWORTH,
HENRY ELKINS,
his mark
GEORGE X WALTON,
SAMUELL WALKER,
THOMAS PETTIT,
RALLF HALL,
his mark
ROBERT X SOWARD,
RICHARD BULLGAR,
CHRISTOPHER LAWSON,
his mark
GEORGE X BARLOW,
RICHARD MORIS,
NICHOLAS NEEDHAM,
THOMAS WILLSON,
his mark
GEORGE X RUOBONE,
HENRY ROBY,
WILLI^A WENBOURNE,

his mark
THOMAS X CRAWLEY,
CHR. HELME,
his mark
DARBY X FFEILD,
his mark
ROBERT X READ,
EDWARD RISHWORTH,
his mark
FFRANCIS X MATHEWS,
his mark
WILLIAM X COOLE,
his mark
JAMES X WALLS,
THOMAS LEVITT,
EDMOND LITTLEFEELD,
his mark
JOHN X CRAME,
his mark
GODFRYE X DEAREBORNE,
PHILEMON PORMORTT,
THOMAS WARDELL,
his mark
WILLI^A X WARDELL,
his mark
ROBERT X SMITH.⁶⁶

In

⁶⁶ This Combination, after being executed, was "at the instant request of some of the brethren," superseded by another agreement, for the same pur-

In conformity with this declaration, bearing date exactly one hundred and thirty-seven years before the auspicious Fourth of July on which our National Independence was proclaimed, the little colony of Exeter assumed a republican form of government, made choice of its own rulers, and enacted a code of laws characterized by good sense, forecast, and equity, as may be seen from a brief synopsis of some of them.

All the inhabitants, present or absent, having lots in the town, were made liable to contribute towards defraying the public charges, according to their proportions of land, cattle, or other privileges.

Highways were ordered to be laid out, "three poole in width;" the lands were required to be fenced, and compensation was directed to be made for all damage done by cattle or swine.

No one was allowed to set fire to the woods, so as to destroy the feed of the cattle, or occasion other mischief; every man must fell such trees in his lot as were offensive to his neighbor; no one was permitted to hoard corn in a time of scarcity.

All creeks were to be free for fishing; the miller's toll was specifically restricted; no inhabitant was allowed to sell to the Indians powder, shot, warlike weapons, sack, or other strong waters, or to demand of them for corn a greater price than

pose, but set forth in different terms. Afterwards the latter agreement was thought to contain some expressions capable of being understood in a sense somewhat derogatory to the allegiance due to the king, and was in its turn revoked, and the original Combination,

as here given, was, on the second of April, 1640, re-established and confirmed.—See 1 *New Hampshire Provincial Papers*, 131. A fac-simile of the instrument is given in the *Wentworth Genealogy*.

than four shillings the bushel; and one discreet person was to have license to sell wine and strong waters to the English by retail.

Suitable tribunals were established to carry these wholesome regulations into effect, and trial by jury was provided for.

The hand of Wheelwright can hardly be mistaken in these judicious provisions for the future welfare of his plantation, especially in those designed to secure the aborigines from imposition and intemperance. He had able coadjutors, too, whose practical knowledge and experience undoubtedly contributed in no small degree to the success of this primary legislation.⁵⁸

Under this voluntary system of government, the settlement of Exeter flourished and took permanent root. Its numbers increased; the land was subdued to the plough; grist-mills were set in motion by the waters of the falls; and good order appears to have prevailed in a degree unusual in a frontier hamlet. Wheelwright pursued the even tenor of his ways, as pastor of the little church, making his presence felt, we cannot doubt, in every matter of interest to his people, and winning each successive year a greater share of their confidence and attachment.

It is a matter of necessity that a republic, even though it consist of but a few score inhabitants, should, in process of time, come to contain two parties. In Exeter, the division appears

⁵⁸ William Wentworth was one of them, — a man of education and ability, and in after life a preacher of the Gospel. He was the ancestor of a long line of governors and men of prominence. Richard Bulgar was another, subsequently attorney-general of Rhode Island. Philemon Pormort, master of the Boston Grammar School, and Edward Rishworth, who afterwards filled important offices in York County, were also of Wheelwright's company.

appears to have occurred on the question of a union with Massachusetts. That colony, having asserted a claim under her patent to the whole country of the Pascataqua, the other New Hampshire towns, as early as 1641, formally submitted to her jurisdiction. But the old distrust lingered in Exeter. The petition of her citizens to be received under the Bay Government was delayed till 1643. And it was even then couched in terms, or based on some conditions, distasteful to those to whom it was addressed, being the work, apparently, of the early partisans of Wheelwright. The Massachusetts General Court declined to accede to the petition, "taking it ill that Exeter, which fell within their patent, should Capitulate with them."

Another petition was immediately prepared, and offered at the same session of the Legislature, for the same object, but phrased more acceptably. Of its twenty-two subscribers, only three were signers of the former petition, and but four members of the combination. The second petition was granted without hesitation; and Exeter, originally an asylum for fugitives from the severities of the Bay Government, now to that government gave her voluntary allegiance.⁶⁷

It is not strange that Wheelwright, and the others who were still under the ban of Massachusetts, watched with interest her gradual extension of jurisdiction over the New
Hampshire

⁶⁷ 1 N. H. Provincial Papers, 168, 170. The first petition is so mutilated that of its contents, save the names of some of the signers, nothing is left. Of the thirteen names remaining upon it, all but two were affixed to the Combination of 1639. It was a curious stroke of policy that the General Court of Massachusetts, while approving the

second petition, rejected the nominations it contained, for clerk of the writs and commissioners of small causes. The persons nominated were also signers of the favored petition; but, instead of them, the Court appointed men who subscribed the first petition and the Combination also.

Hampshire towns. Common prudence required that they should be seeking out a place of security, to which they could remove when the occasion required. They found it in the uninhabited region north-east of the Pascataqua. In September, 1641, Samuel Hutchinson and Nicholas Needham, who were parties with Wheelwright to the Indian purchase of 1638, began to prospect that country, and, on the twenty-fourth of the month, obtained from Thomas Gorges, superintendent of the affairs of Sir Ferdinando Gorges in his province of Maine, a license to occupy and improve the territory which afterwards constituted the township of Wells.⁸⁸ Some of the land was claimed by one Stratton and others, so that Gorges was unwilling at that time to make an absolute conveyance of it.

Soon afterwards, Edmund Littlefield, Edward Rishworth, and others of the old adherents of Wheelwright, removed from Exeter to the new locality, and began to clear the foil and adapt it to human occupation. Wheelwright himself deemed it judicious to follow, before the authority of Massachusetts began to be exerted at the falls of the Squamscot, and probably established himself in Wells in the spring of 1643, though it may have been a few months earlier. Thomas Gorges, in April of that year, conveyed to him a tract of land, containing about four hundred acres, on the easterly side of the Ogunquit River, and, on the fourteenth of the succeeding July, made to him and others the following grant, no doubt in fulfilment of an understanding with Hutchinson and Needham two years before. The claim of Stratton and others had in the mean time been found nugatory: —

Witneffeth

⁸⁸ Bourne's History of Wells and Kennebunk, 9.

Witneffeth these presents that I Thomas Gorges Deputy Governor of the Province of Mayne according to the power given unto me from Sir Ferdinando Gorges, Knight, Lord proprietor of the said province, have for divers good causes and considerations in and thereunto moving, given and granted unto Mr. John Wheelright minister of God's word, Mr. Henry Boads, and Mr. Edward Rishworth of Wells, full and absolute power to allot bounds and sett forth any lott or bounds unto any man that shall come to inhabit in the plantation, themselves paying for any land they hold from Sir Ferdinando Gorges five shillings for every hundred acres they make use of, the rest five shillings for every hundred acres that shall be allotted unto them by the said Mr. John Wheelright, Henry Boads and Edward Rishworth. The bounds of the plantation to begin from the North East side of Ogunquitt River, to the South West side of Kennebunk River, and to run eight miles up into the country and in case differences arise between the said Mr. John Wheelright, Henry Boads and Edward Rishworth concerning the admission of any man into the plantation, or of bounding any land, the said difference shall be determined by the agent or agents of Sir Ferdinando Gorges to whom full power is reserved of admitting any one into the aforesaid limitt. Given under my hand and seal at armes this 14th July, 1643.

THO. GORGES.

This grant was formally confirmed by Richard Vines, deputy-governor, and the other members of a court held at Saco, on the fourteenth of August, 1644. But a small number of lots appear ever to have been assigned to settlers under its authority, however.⁶⁹

Wheelwright, immediately after his arrival in Wells, erected a house of sufficient capacity to accommodate his own family, together with his mother-in-law, Mrs. Hutchinson, who accompanied them, and subsequently died there.⁶⁹

Upon

⁶⁹ Bourne's Hist. Wells, &c., 10, 14.

⁶⁹ Bourne's Hist. Wells, &c., 49, 37. This may have been the house about which a suit at law was brought, five

years afterward, upon the claim that it was built for Wheelwright by his parishioners, to be used as a parsonage, and so, when he left it, remained their property.

Upon a stream near his dwelling he built a saw-mill, and thus, with characteristic prudence and forecast, secured one of the few sources of profit afforded by the new country.⁶¹ A considerable number of his Exeter parishioners accompanied him to Wells, so that a church was at once instituted there, of which he was, of course, the pastor. It deserves to be mentioned to his credit, also, that the people whom he left at Exeter entertained the kindest feelings toward him, and were slow to relinquish the expectation that he might return to them.⁶²

It is not known that Wheelwright entertained the idea of resuming his residence in Exeter, though Wells could have been no very attractive home to him. The mere fact that it was on the confines of civilization was, to a person of his vigorous constitution and experience in pioneer life, the least of its demerits. But there was no kindred companionship for him outside the little circle of those who had followed him thither. The few remaining inhabitants were generally ignorant and uncultivated, if not actually degraded.⁶³ No doubt the Cambridge graduate, educated in the society of scholars and gentlemen, found it an unpromising portion of his Master's vineyard to labor in. But his views of duty were

property. See letter of Henry Boad to John Winthrop, 1 Mss. Hist. Soc. Collections (5th series), 358. The Court records of York County show nothing of the suit, and we have no clew to the issue of it.

⁶¹ Bourne's Hist. Wells, &c., 49. Judge Bourne states that Wheelwright had a lawsuit against John Littlefield in regard to the mill; but the records of the county are equally silent con-

cerning it, as in the case referred to in note 60.

⁶² The records of Exeter show, among other facts to support this statement, that a grant of marsh-land was made to Wheelwright on the seventeenth of June, 1644, upon the condition that "he doth Com amongst us againe."

⁶³ Bourne's Hist. Wells, &c., 235, &c.

were not of the pliant kind, which would be deflected by such considerations. There is no reason to doubt that he devoted himself cheerfully and loyally to his work, so long as he ministered to the little flock about him.

He had, probably, long understood that it would not be difficult to make his peace with Massachusetts. In September, 1642, while he was yet in Exeter, upon some application made in his behalf to the authorities of the Bay colony, they had graciously replied that if "hee himselfe petition the C^t at Boston, they shall have power to grant him safe-conduct" into their jurisdiction.⁶⁴ It does not appear that he made any advances, however, at that time. But it is plain that some influence was at work in Massachusetts to bring about a reconciliation; for, on the tenth of May, 1643, the General Court again, without any solicitation on his part,⁶⁵ granted to him permission to visit the colony for fourteen days, at any time within the ensuing three months.⁶⁶ The banished divine upon this repaired to the scenes of his earlier labors and trials, and "spake with divers of the ministers," who were so well satisfied with his exposition of his feelings and views that they determined to use their influence to obtain a reversal of the sentence against him.⁶⁷ There is a strong probability

⁶⁴ 2 Massachusetts Colonial Records, 32.

⁶⁵ It is true that Hubbard, in his History of New England, 365, states that Wheelwright "wrote to the Governor for leave to come into the Bay;" but Winthrop, who could not have failed to mention it had the fact been so, says nothing of the sort. Hubbard is notoriously inexact, and in this instance contradicts himself; for he gives

the letter in which he says Wheelwright requested permission to visit Massachusetts, and the letter not only contains nothing of the kind, but bears date months after the permission was granted.

⁶⁶ 2 Mass. Colonial Records, 37.

⁶⁷ Hubbard's Hist. New England, 366. Hubbard here gives a fact that must have been within his personal knowledge.

probability that they counselled him in what tone to frame an appeal to the Massachusetts government for that purpose. The result of the conference may be gathered from the following letter, which he addressed to the Legislature a few days after his return to Wells : —

RIGHT WORSHIPFUL, — Upon the long and mature consideration of things, I perceive that the main difference between yourselves and some of the reverend elders and me in point of justification and the evidencing thereof, is not of that nature and consequence as was then presented to me in the false glass of satan's temptations and mine own distempered passions, which makes me unfeignedly sorry that I had such an hand in those sharp and vehement contentions raised thereabouts to the great disturbance of the churches of Christ. It is the grief of my soul that I used such vehement, censorious speeches in the application of my sermon, or in any other writing, whereby I reflected any dishonor upon your worships, the reverend elders, or any of contrary judgment to myself. It repents me that I did so much adhere to persons of corrupt judgment to the countenancing of them in any of their errors or evil practices, though I intended no such thing ; and that in the synod I used such unsafe and obscure expressions, falling from me as a man dazzled with the buffetings of satan, and that I did appeal from misapprehension of things. I confess that herein I have done very sinfully, and do humbly crave pardon of this honored state. If it shall appear to me by scripture light that in any carriage, word, writing, or action, I have walked contrary to rule, I shall be ready, by the grace of God, to give satisfaction ; thus hoping that you will pardon my boldness, I humbly take leave of your worship, committing you to the good providence of the Almighty, and ever remain your worship's in all service to be commanded in the Lord.

J. WHEELWRIGHT.

WELLS (7), 10 43.

The letter reached Boston on the fourth of the succeeding October, and upon it "the Court was very well inclined to release the banishment" of its author. It was accordingly ordered that he should have a safe-conduct to attend the
next

next session of the Court, if he desired. This was in effect a summons or invitation for him to plead his cause in person before that tribunal. Of this, Governor Winthrop gave him notice by letter, which elicited the following reply:⁶⁸ —

RIGHT WORSHIPFUL, — I have received the letter wherein you signify to me that you have imparted my letter to the honorable court, and that it finds good applause, for which I rejoice with much thankfulness. I am very thankful to your worship for the letter of safe conduct which I formerly received, as likewise for the late act of court granting me the same liberty in case I desire letters to that end. I should very willingly, upon letters received, express by word of mouth, openly in court, that which I did by writing, might I without offence explain my true intent and meaning more fully to this effect; that, notwithstanding my failings, for which I humbly crave pardon, yet I cannot with a good conscience condemn myself for such capital crimes, dangerous revelations, and gross errors, as have been charged upon me, the concurrence of which (as I take it) make up the very substance of the cause of all my sufferings. I do not see but in so mixt a cause I am bound to use, may it be permitted, my just defence so far as I apprehend myself to be innocent, as to make my confession where I am convinced of any delinquency; otherwise I shall seemingly and in appearance fall under guilt of many heinous offences, for which my conscience doth acquit me. If I seem to make suit to the honorable court for relaxation to be granted by an act of mercy upon my sole confession, I must offend my conscience; if by an act of justice upon mine apology and lawful defence, I fear lest I shall offend your worships. I leave all things to your wife and godly consideration, hoping that you will pardon my simplicity and plainness, which I am forced unto by the power of an overruling conscience. I rest your worship's in the Lord.

WELLS (1), 1-43.⁶⁹

J. WHEELWRIGHT.

The conduct of Wheelwright in making this confession to the bigoted power which had ejected him from his pulpit and

⁶⁸ 2 Savage's Winthrop, *163. These letters of Wheelwright are given as they appear in Winthrop, though they differ somewhat from the version of Hubbard, which has been understood to have been taken from Winthrop.

⁶⁹ i.e., March 1, 1644.

and his home, and proclaimed him an outcast, has been the subject of some animadversion. It has even been pronounced a fawning attempt to restore himself to favor, and a dishonorable sacrifice of his independence. But this censure is not borne out by the facts. There is absolutely no ground for believing that he expected to gain any advantage of a temporal nature from being restored to the freedom of Massachusetts. On the other hand, the candor with which he admitted the faults, of which reflection had rendered him sensible, and the conscientious desire he manifested to make amends for them, are worthy of all respect.

The language of his first letter, which has probably led to the misconstruction of his motives, may have been influenced by the advice of his clerical brethren, as we have seen. Its extravagant tone of self-condemnation was, however, entirely in keeping with the style employed by devout men at that period, and, indeed, long afterward. Such exuberance of speech is to be received, at the present day, like Oriental professions of hospitality, at a heavy discount. Wheelwright himself, upon further consideration, or possibly upon some inkling from Winthrop's letter that the General Court might incline to take his effusive advances more literally than he intended, found it necessary to define his position anew, and wrote the second letter to guard against the misconstruction of the first. Graceful as it is for a penitent to style himself the chiefest of sinners, it is awkward to have another indorse the epithet.⁷⁰

In

⁷⁰ Backus, in 1 Hist. N. E. 153, says, significantly, that Wheelwright's second letter would make one think of Bishop Burnet's remark, that "there are none of us but what will acknowledge in *general terms* that our church is imperfect, though when we come to *particulars* we are always in the right."

In the second letter Wheelwright rested his claim for acquittal upon the ground of justice rather than of mercy. It cannot be said that his overtures involved any desertion of principle, or cringing to the dispensers of favors. He made a manly confession of his error, to bring about reconciliation and peace, as was eminently becoming his sacred calling.

Upon the receipt of Wheelwright's second letter, Winthrop again wrote him, that, although the sentence of banishment might, perhaps, be remitted without his presence, yet that was questionable; and recommended him to appear before the Court in person.⁷¹ But this Wheelwright was not disposed to do. So the matter rested until the twenty-ninth of May, 1644, when the Legislature ordered "that M^r. Wheelwright (upon particular, solemn and serious acknowledgment & confession by letter, of his evil carriages & of y^e C^ts justice upon him for them) hath his banishment taken of, & is received in as a member of this commonwealth."⁷²

If Wheelwright erred in preferring his request with excessive humility, it cannot be said that the Legislature manifested overmuch magnanimity in granting it. They perverted the honest import of his language, and extended to him their grace on grounds that he never admitted. But they had the "giant's strength," and there was nothing left for him but to accept his re-enfranchisement, *cum onere*.

The period of Wheelwright's residence at Wells was marked also by the publication of two notable pamphlets upon the subject of the Antinomian Controversy of 1637 in Massachusetts, and the share of the Mount Wollaston pastor therein.

⁷¹ 2 Savage's Winthrop, *164.

⁷² 2 Mass. Colonial Records, 67.

therein. The one was issued in London in the early part of 1644, under this title, "A Short Story of the Rise, reign and ruin of the *Antinomians, Familists & Libertines* that infected the *Churches* of New England; And how they were confuted by the Assembly of Ministers there: As also of the Magistrates proceedings in Court against them. Together with Gods strange and remarkable judgments from Heaven of some of the chief fomenters of these Opinions; And the lamentable death of Ms. *Hutchinson*." It purported to be the work of "one that was an eye and ear witness of the carriage of matters there," and consisted of an introduction and preface by the Rev. Thomas Weld;⁷³ a catalogue of the erroneous opinions condemned by the Cambridge Synod of 1637; an account of the proceedings of the General Court against Wheelwright and others; and a "Brief Apology" for the same. It may be characterized, in general, as a very bitter and partisan production, even for that day. The authorship of the body of the work has been the subject of discussion among antiquaries.⁷⁴ Much of it is agreed on all hands to have been the work of Winthrop, and the better opinion seems to be that it must all be attributed to him.⁷⁵

Wheelwright

⁷³ Weld was the first minister of Roxbury, and lived in this country from 1632 to 1641, in which latter year he went to England as agent for Massachusetts. He never returned, but remained there till his death, in 1662. In his preface to the Short Story, he disclaimed the authorship of the main part of the work, and his character as a Christian minister, especially in the absence of any adequate motive for falsehood, leaves little room to question the truthfulness of his statement.

⁷⁴ See the communications of the

Hon James Savage and "Hutchinson" (understood to be the *nom de plume* of J. Wingate Thornton, Esquire), in 1 Historical Magazine. 321, and 2 do. 22, 170.

⁷⁵ 1 Felt's Eccles. Hist. 312, n. 534. — "The Antinomian Controversy of 1637," by the Rev. John A. Vinton, in the Congregational Quarterly for July, 1873, p. 409, n. (2), where the statements of contemporary writers are cited. From the language of Wheelwright in the second title, of Mercurius Americanus, and in the work itself, it may

Wheelwright probably received intelligence of the publication of this harsh and one-sided version of his former opinions and conduct at not far from the same time that he was apprised of the unwarranted terms in which the Court had characterized his application for remission of sentence. He could hardly have helped feeling stung by the acrimonious revival of the defunct controversy, after the lapse of seven long years, and at the very time when, by the encouragement of influential inhabitants of the Bay, he was making advances for a reconciliation. He had friends and relatives in England, and was unwilling that they should take their impressions of his *debut* in the new world from the grossly unfair statements of his opponents. He therefore determined to publish an answer to their aspersions, for the purpose of rescuing his character from misrepresentation. It was no small undertaking for him to bring out even a tract of a dozen leaves in London; but he obtained the aid of friends, no doubt, to supervise the publication; and, in 1645, his reply was issued, under the title of "*Mercurius Americanus*." As it is reproduced in the present volume, it is only necessary to say of it here that, in tone and temper, it is incontestably superior to the "*Short Story*;" and, while devoted especially to the vindication of its author's doctrinal views, agreeably to the school of polemics then in vogue, it contains some keen retorts upon his detractors, and indicates a mind trained to logical acuteness, and imbued with the learning of the times. In this literary passage-at-arms,

though

may be inferred that he supposed Weld to be the author of the *Short Story*; but, living as the former did, in the

wilds of Wells, he was not at all likely to have any authentic information on the subject.

though Wheelwright dealt no foul blow, yet assuredly his antagonists did not carry off the honors of the field.

For two years after this controversial episode, Wells was the scene of Wheelwright's labors. He continued, no doubt, as long as he remained there, to occupy the position of spiritual guide of the little church; but the lack of records leaves the particulars of his doings in obscurity. We cannot suppose, indeed, that, if we could penetrate the veil of years, many facts of importance or general interest would be discoverable. The monotony of border life, among a limited population, mainly absorbed in providing for their daily necessities, could be broken by few incidents worthy of preservation.

A new home now beckoned to the wilderness-preacher. Hampton, with its fertile clearings and its rich salt-meadows, possessed natural features which must have vividly reminded Wheelwright of the scenes of his early life. The place had been settled for some years, and the people were seeking for a colleague to be united in the pastoral relation with their religious teacher, the Rev. Timothy Dalton. They were pleased with Wheelwright, and invited him to the position. He was in no way disinclined to the proposal, and in the spring of 1647 repaired to Hampton,⁷⁶ and entered into a written agreement with a committee of the church and town, respecting the terms of his settlement, which, as characteristic of the parties and the times, is deemed worthy of insertion:—

The

⁷⁶ The town records of Hampton each of which the name of Wheelwright is affixed in his own hand. contain this and the subsequent brief agreement on the same subject, to

The 12 daye 2 m^o 1647:

The Church of Iesus Christ at Hampton haueing seriously considered the great paines & labours that the reverente & well-beloued M^r Tymothy Dalton haue taken among them in the worke of the ministry euen beyond his abilitie or strength of nater: And haueing upon sollemne seeking of God settled upon the reverent & well-beloued M^r John Whelewright of Wells as a help in the worke of the lord with the sayd M^r Dalton our p^rsent & faithfull Teacher: And haue given the sayd M^r Whelewright a calle to that end with the consent of the hole towne: The which the sayd M^r Whelewright doe except off according unto God: And these propotions following are agreed upon: & subscribed unto by the sayd M^r Whelewright for his p^rt: & the sayd church with the hole towne for ther p^rt: who doth by these p^rsents promise & oblige themselves to fulfill & p^rforme the same: —

First. That in case the church of hampton send for M^r Whelewright from Wells to be their Paster or teacher They shall beare those charges of the transportation of himself: familie & goods to Hampton.

2. That the sayd M^r Whelewright shall haue a convenient house provided for him & his familie to dwell in for the first yeare by the sayd church.

3. That the sayd M^r Whelewright shall haue a convenient house-lott as likewise the ferme which was lately M^r Batchilers given & confermed to him & his heires for ever upon his ordination & continuence among us — But if the sayd M^r Whelewright shall afterword remoue himself without libertie from the sayd church — That then the sayd ferme shall remaine to the towne of Hampton for ever as their owne proprietie to dispose of: —

4. That the sayd M^r Whelewright shall haue yearly & every yeare payd to him fortye pound for his paines among them as long as he is their pastor or Teacher — excepting only some extraordinary hand of God in waye of alteration: — The which sayd 40^l is to be payd in corne cattle or other good comodities quarterlye by some whom the sayd church shall apoynt: by euen & equall propotions.

In case the church send for M^r Whelewright with a vessell to transport him any time within two mounths after the date hereof with an absolute promise

promise of ordination before the last of the seventh month next following — Then the sayd M^r Whelewright shall accordingly com unto them if god p^rmitt: And if the sayd M^r Whelewright shall refuse ordination lawefully tendered he shall beare the charge of his transportation & receive nothing for his time among them: And in case the sayd Church refuse to give him ordination before the end of the 7 m^o next absolutely promised him — he the sayd M^r Whelewright shall be payd for his transportation & for the time he is a Teacher among them & have the ferme before mentioned to him & his heires for ever — & have libertie to depart from them upon such refuseall.

In case the sayd church shall send the sayd M^r Whelewright worde to Wells any time within two monthes that they cannot ordaine him Pastor or Teacher among them — then both the sayd church & the sayd M^r Whelewright shall be free from all former ingagements contained in this wrighting.

JOHN WHELEWRIGHT.⁷⁷

JOHN MOULTON.

JEFFERY MINGY.

WILLIAM SAMBORNE.

WILLI^a HOWARD.

WILL: MARSTON.

WILL: MOULTON.

In the name of y^e rest.

A month later the church voted to fulfil their part of the preliminary agreement, in the following terms: —

The 15: 3 m^o 1647:

It is voted by the Church of Hampton that they shall & will send a boat for M^r Whelewright to Wells to transport M^r Whelewright & his familie & also do promise to give him ordination according as is expressed in the couenant between them to the utmost of their indever according unto god, within the time therein mentioned.

I accept of this vote.

JOHN WHELEWRIGHT.

p^r WILLI^a HOWARD in the name
of the Church.

No

⁷⁷ The observing reader will notice here, as in the signature to the Exeter Combination, the peculiar spelling of the name — *Whelewright*. Its possessor

No time was lost in establishing the new minister in his new home. That he was ordained (or installed) over the society on the twenty-fourth of June following, is fairly inferrible from the entries upon the town records, which show that the interesting event of the receipt of his salary occurred annually on that day thereafter. By his removal to Hampton, he must have found himself in many respects more eligibly situated than at Wells. The people of his charge were more numerous, and, probably, in the main, more intelligent, than those he had quitted. They were certainly better able to provide for his suitable maintenance, which was no small consideration to a man of fifty-five, with a goodly family. He was within the reach of more congenial society. No longer in a frontier clearing, an interval of but few miles separated him from professional brethren and laymen of culture and social refinement. To a university-bred clergyman, for years shut out from such companionship, the boon must have been peculiarly welcome.

The conduct of Wheelwright's parishioners at Hampton evinces their appreciation of his deserts as a minister, and their readiness to testify it by substantial tokens. Before he had been three years with them, the town voted to give him in fee, the farm of two hundred acres that had at first been granted to him conditionally, and "the prudential men" conveyed it to him by deed, dated the fourteenth of February, 1650. Subsequently, on the twenty-eighth of December, 1654, the town made an addition of twenty-five *per centum* to his annual salary.

But

for uniformly wrote it in this manner to this country, he adopted the orthography which has ever since prevailed. in early life, and up to the time of his return to England. After he came back

But Wheelwright, perhaps, valued more highly still the service which his people rendered him, in procuring from the General Court of Massachusetts what he must have conceived to be a tardy act of justice to himself. The statements contained in the "Short Story," assuming to be an authoritative exposition by the Massachusetts officials of their dealings with him, and the grounds thereof, were no doubt commonly accepted as such in England, and had been indorsed in the writings of the Rev. Samuel Rutherford, a Scottish divine of some eminence.⁷⁸ Wheelwright had, probably, long felt that some reparation was due to him for the unfriendly attitude in which the authorities of the Bay, through those statements, and by their construction of his application for remission of sentence, appeared to stand towards him. No doubt his townsmen were aware of his feeling, and were anxious to have every possible imputation upon the character of their pastor wiped away. On the first of May, 1654, they held a meeting, at which they drew up and subscribed a petition to the Legislature, for the purpose of eliciting a testimonial from that body in his favor, and then ordered "that the petition framed and signed att the present metting for the vindication of Mr. Wheelwrights name, should be presented to the next Generall court."⁷⁹

This was done without loss of time, and on the third of
May

⁷⁸ The work is entitled "A Survey of the Spirituall Antichrist," and was published in London, 1648. Chapters 15 and 16. are devoted to a castigation of the Antinomians and Familists of New England. A specimen brick of his curious edifice will suffice. After condensing the gift of the 82 erroneous

opinions condemned by the Cambridge Synod into the less startling number of 53, he gravely declares that Wheelwright and Mrs. Hutchinson were the first authors of them all. — *Rutherford's Survey*, 176.

⁷⁹ Hampton records.

May the Court declared, in answer thereto, that they were "not willing to recall those vncomfortable differences that formerly passed betwixt this Court and M^r Wheelwright, concerning matters of religion or practise, nor do they know what M^r Rutherford or M^r Wells hath charged him with, yet they judg meete to certifie that M^r Wheelwright hath long since giuen such satisfaction both to the Court & elders generally as that he is now, & so for many years hath bin, an officer in y^e church at Hampton wthin o^r jurisdiction, & y^t wthout offence to any so far as we know & as we are informed, he hath bin a v^seful & p^rfitable instrument of doinge much good in that church."⁸⁰

Cotton Mather, in his "Magnalia,"⁸¹ states that Wheelwright in the same year "published a vindication of himself against the wrongs that by Mr. Weld and by Mr. Rutherford had been done unto him. In this vindication he not only produces a speech of Mr. Cotton, 'I do conceive and profess that our brother Wheelwright's doctrine is according to God in the points controverted,' but also a declaration from the whole General Court of the colony, signed by the secretary, August 24, 1654, upon the petition of Mr. Wheelwright's church at Hampton, in which declaration they profess, that hearing that Mr. Wheelwright is by Mr. Rutherford and Mr. Weld rendered, in some books printed by them, as heretical and criminous, they now signify that Mr. Wheelwright hath, for these many years, approved himself a sound, orthodox and profitable minister of the gospel, among the churches of Christ."

From

⁸⁰ 3 Mss. Colonial Records, 344.

⁸¹ Book VII., chap. iii. sec. 3.

From the best information obtainable, the "vindication" appears never to have been printed, but to have been published only in manuscript; it is improbable, therefore, that its contents will ever be exactly known.⁸²

Whether it was in anticipation of a return to England that Wheelwright desired to have his position thus set right, we have no means of knowledge; but, either in 1655 or in the early part of 1656, he made a voyage thither.⁸³ The extraordinary events which had revolutionized the government of the old country had not, of course, passed without awakening the deepest interest in the new. The execution of King Charles, the usurpation of the sovereign power by a commoner by birth and an Independent in religion, the subversion of the old hierarchy, and the freedom of the pulpit to Puritans,—these were occurrences which, if not fully approved by the intelligent of New England, seemed, at least to many, auspicious for her future fortunes. To Wheelwright, the accession to positions of eminence of two of his personal friends—Cromwell, in whose company he had trodden the classic halls of Cambridge, and Vane, by

⁸² No allusion to the "vindication" is known earlier than that in the *Magnalia*; which circumstance alone would argue that it never appeared in print. Mather evidently had no copy of it, for he misquoted the language of the General Court so widely as to make it evident that he relied merely upon recollection. Savage, who remarked upon "the scarcity of the tract" in a way to lead his readers to suppose he had seen it, evidently had not, for he simply repeated Mather's account of it, in all its inaccuracy.—1 *Sav. Wint.*

⁸³ 215 n. (1.) Inquiries at the principal libraries of Americana in New England, and a communication inserted in the *English Notes and Queries* by my friend the Rev. Mr. Slafter (though it led to a search of the vast collections of the British Museum, of the Bodleian Library at Oxford, and of the University Library at Cambridge), have failed to elicit any further light respecting this production.

⁸⁴ His last receipt of salary in Hampton was in midsummer of 1655.

by whose side he had withstood the shock of religious persecution in Massachusetts—must have been peculiarly interesting. Each of them in his department had wielded the resources of their powerful country with the hand of a master, and both stood among the foremost men of their age. It was natural that the pastor of Hampton should yearn once more to visit the land of his nativity, to behold with his own eyes the great changes that had befallen her in the score of years which had passed since his last view of her receding shores.

He did not, on quitting Hampton, dissolve his connection with his society, for it is unlikely* that he had any definite plan with respect to the duration of his absence.⁸⁴ When he arrived in England, he found his two powerful friends, who were but recently contending side by side for political and religious liberty, estranged and hostile. Vane had retired from public life, while Cromwell seemed to be dreaming of a regal sceptre. Fortunately for our New England visitor, their Sundered paths prevented neither of them from giving him a cordial welcome. He became a particular favorite with Cromwell, during the short remainder of the life of that eminent personage.⁸⁵

It is much to be regretted that the correspondence which
Wheelwright

⁸⁴ In December, 1656, the people of Hampton voted to employ an assistant for the Rev. Mr. Dalton, their teacher, until they could see "how God would dispose of them in respect of their pastor" (Wheelwright).

⁸⁵ Hutchinson, in 1 Hist. Mass. 177 (3d Am. ed.), advances the opinion that Cromwell, who must have been aware of Vane's friendship for Wheelwright,

was dissembling when he pretended to be his friend also. Without inquiring whether the great usurper in his distrust of Vane must necessarily have included one who was in no way involved in the political movements of the time, it is thought sufficient in the text to state the matter as it has been generally understood.

Wheelwright is known to have maintained, at this time, with his cisatlantic friends, has disappeared. It would, doubtless, have afforded interesting views of the Protector as seen by New England eyes, and would have supplied information, which is not known to be elsewhere attainable, of Wheelwright's whereabouts and occupation during the years of his later residence in England. Though a letter which he then wrote to the church at Hampton was preserved to the commencement of the present century, as we are informed on good authority,⁸⁶ yet only a portion of it is now to be found,—the sole remaining vestige of its author's epistolary writings during his absence. We give the fragment which was luckily preserved by Hutchinson.⁸⁷ It bears date the twentieth of April, 1658.

I have lately been at London about five weeks. My Lord Protector was pleased to send one of his guard for me, with whom I had discourse in private about the space of an hour. All his speeches seemed to me very orthodox and gracious, no way favoring sectaries. He spake very experimentally to my apprehension of the work of God's grace; and knowing what opposition I met withal from some whom I shall not name, exhorted me to perseverance in these very words as I remember. "Mr. Wheelwright, stand fast in the Lord, and you shall see that these notions will vanish into nothing," or to that effect. Many men, especially the sectaries, exclaim against him, with open mouths; but I hope he is a gracious man. I saw the Lord Mayor and Sheriff with their officers carry sundry of the fifth monarchy men to prison, as Mr. Cam, Mr. Day, with others who used to meet together in Colman street to preach and pray against the Lord Protector and the present power.

The people of Wells and the adjoining places had occasion,

⁸⁶ Eliot's Biographical Dictionary, article "Wheelwright." ⁸⁷ 1 Hist. Mss., 178, n.

tion, in 1658, to petition Cromwell to confirm the jurisdiction of Massachusetts over them. It was a pleasing evidence of their regard for their former pastor, as well as a recognition of the influential position which he was understood to hold with the Protector, that in their petition they refer to their "pious and reverend friend, Mr. John Wheelwright, sometime of us, now in England," for any desired information respecting their condition and character.⁸⁸

After the death of Cromwell, it is probable that Wheelwright passed the most of the remaining time of his stay in England among his relatives in Lincolnshire, where he still retained his patrimonial lands. No doubt he made his abode chiefly at Belleau,⁸⁹ the favorite residence of Sir Henry Vane, "who had greatly noticed him since his arrival in the kingdom," and was his firm friend.⁹⁰ Vane, however, was soon again embarked upon the stormy sea of political life, and for a time rode proudly upon the summit of the billows, wafted apparently by prosperous gales. His hopes of the establishment of a permanent system of popular government in his native land appeared to be just approaching fruition, when they were dashed to the ground by an untoward concurrence of unlooked-for events, which led to the Restoration. Vane was confined to imprisonment, from which he only emerged to undergo the death of a heroic political martyr, in June, 1662.

It was, probably, not until this tragical event had closed the

⁸⁸ Hutchinson's Collection, 314.

⁸⁹ Wheelwright described himself as "late of Belleau, county of Lincoln, England," in a conveyance of land by him made to Richard Crispe, October

22, 1677, in consideration of the marriage of the latter with his youngest daughter, Sarah. — See *Suffolk Registry of Deeds*, B. ix. p. 215.

⁹⁰ 1 Hutchinson's Hist. Mass., 177.

the career of the great man with whom in early manhood, as well as in his later prime, it was Wheelwright's privilege to live on terms of confidence and friendship, that the latter turned his face again towards New England. He arrived here, together with several other ministers, in the summer of 1662.⁹¹ His place in Hampton had, of course, long before been supplied; but the people of the neighboring town of Salisbury, who had known him in years past, welcomed him with a call to become their pastor, though he had now arrived at man's allotted age of threescore years and ten. Vigorous still, however, in mind and body, he complied with their wish, and was installed over them on the ninth of December in the same year.⁹²

His people at once guaranteed him an honorable support. At a meeting of the town held six days after his installation, "It was concluded & agreed upon that Rev^d Mr. John Wheelwright shall have for his maintenance whilst he shall continue amongst us three score pounds a year while the new towne continues as one with us, & when & while the new towne⁹³ shall maintain a minister of themselves, & then to have £50 per annum of the old towne during his continuance with them in the work of the ministry, besides the accommodations of house and land." Eight days later, the town "Ordered that there shall be about 20 acres of that meadow which is commonly called the elders' cove, allotted unto the perpetual use of the ministry for the old towne of Salisbury."

⁹¹ This fact appears among memoranda of the Rev. Samuel Danforth, in the MS. record-book of the church in Roxbury, deposited with the N. E. Hist. Genealogical Society, Boston.

⁹² Contributions to the Ecclesiastical History of Essex County, 224.

⁹³ The "new towne" was Amesbury, which was afterwards, in 1668, duly constituted a separate township.

Salisbury." The townsmen also appointed a committee "to buy the widow Morrill's house & house-lott at the Old town, for the use of the ministry."⁴

It was under these agreeable conditions that Wheelwright entered upon the last, and, strange to say, the longest pastorate of his varied life. It might not unreasonably be expected that some written memorials of this comparatively recent period had been spared, to afford an insight into the every-day habits and experience of the old-time minister; but every memorandum of a private character appears to have long passed into oblivion. No diary, letters, or other writings are known to exist, to shed light upon this interesting phase of his life. Even the records of the church of Salisbury during Wheelwright's incumbency have disappeared. The meagre knowledge we possess of his doings there is limited to a few noteworthy circumstances gathered from the books of the town and other scattered sources.

On the eighth of October, 1664, he was appointed referee to determine a difference between Robert Ring and the town; an indication, certainly, that his impartiality and good judgment were held in favorable estimation. On the twentieth of December, the same year, the town resolved to build a new meeting-house with all convenient speed, which praiseworthy determination may have been carried into effect, though the subsequent silence of the records upon the subject renders it improbable. Perhaps it was this demonstration that induced the minister to recur to the promise of his people,

⁴ Records of Salisbury; to which there, which are not credited to other we are indebted for most of the facts sources.
respecting Wheelwright's residence

people, on his settlement, to furnish him "accommodations of house and land," which had not been performed to his satisfaction. He was not the man to keep silence when his dues were withheld, and it may be imagined that he spoke his mind freely on this occasion. In consequence thereof, at a town meeting held on the sixth of March, 1665, a committee was chosen to treat with him. That he was not altogether unreasonable in his demands is evidenced by the fact, that the town authorized the prudential men "to build a side leanter^o to the town-barn which is for the ministry & lay a floor to thrash on in the 1st barn, and also to sink a stone well for conveniency of water to the house, and also to make a convenient place in one of the garrets for a library, & any other small finishing work which is not already agreed to be done, & also to make a new and sufficient fence between John Eatons land and the towns." But the townsmen subjoined the proviso, with laudable caution against committing themselves too deeply for the future; "This we do in our respects to our Rev^d pastor Mr. Wheelwright, & not as bound by covenant thereunto."

The knowledge that Wheelwright possessed, respecting the titles and boundaries of lands in the part of the country which had been first occupied under his observation, led to the taking of his testimony, about this time, in certain cases where those matters came in question. In 1663, and in 1668, he gave affidavits in regard to his purchase of the Indians' rights to the territory about Exeter, copies of which were apparently used in the trial of many causes.

These

^o Lean-to; a pent-house.

These affidavits have an important bearing upon the question of the genuineness of the Indian deed of 1629, and will be specially referred to in the chapter of this work devoted to that subject.

In June, 1665, Richard Nicholls, Sir Robert Carr, George Cartwright, and Samuel Maverick, the Commissioners appointed by the king to visit the several colonies of New England to determine complaints and appeals, and provide for the peace and security of the country, in the discharge of their duties proceeded to make inquiry concerning the boundary line between Massachusetts and Mason's patent of New Hampshire. In connection with other testimony, they took the statement of Wheelwright, to the effect that when he was banished from Massachusetts, nearly thirty years before, he was allowed to remain unmolested a little way beyond the "bound-house" as it was termed, which was situated in Hampton, a large three miles north of the Merrimac River.⁹⁶ The tendency of the evidence was to curtail the possessions of Massachusetts, which the Commissioners were well inclined to do, had it been desired by the inhabitants on the Pascataqua. The latter, however, had no ambition to assume the responsibilities of a separate government, and the question of the boundary-line was dismissed to the succeeding century for final adjustment.

The life of Wheelwright, apparently, now flowed on for several successive years in the even current which indicated mutual satisfaction between minister and people. Up to June, 1670, no more important entry respecting parochial affairs

⁹⁶ 1 Belknap's Hist. New Hampshire, 106.

affairs is found upon the record-books of Salisbury than the appointment of a committee to procure the digging of a new well for the parsonage. A year afterwards, the aged but still active pastor is heard of in Portsmouth, on the occasion of the ordination of the Rev. Joshua Moody, to whom he, as the senior minister present, gave the right hand of fellowship. It could not have been dreamed by either of them at the time, that, by a singular parallel of fortune, the younger brother was destined ere long to undergo bitter trials for conscience' sake, even as the elder had done in years bygone.⁹⁷

After the separation of Amesbury from Salisbury, the salary of Wheelwright was reduced, according to the terms of his settlement, by a sixth part. This he found inadequate to his support; and, after some years, as the town took no steps to increase it, his friends petitioned the County Court to make an order for the purpose, as follows:—

The humble request To the Honored Court now held at Salisbury of we whose names are under written,

Is that you would be pleased to Consider of and so settle unto our reverend pastor Mr John Wheelwright an honorable maintenance for he haveing had butt fiftety pounds a yeare, the accommodation excepted, since the new towne were parted from the old towne, which our pastor says he cannot Comfortably liue on, and we also thinke the same and are willing
more

⁹⁷ In 1684, Edward Cranfield, Governor of New Hampshire, then erected into a separate province, under pretence that Moody had violated a statute of England in refusing to administer to him and two of his councillors the ordinance of the Lord's Supper, after the forms of the Episcopal church, caused him to be imprisoned. The

real cause of this hypocritical, arbitrary, and illegal act is to be found in the fact that Moody rightfully persisted in calling to account a member of his church who had committed perjury in a case of violation of the customs laws, and whom the governor wished to screen from censure.

more should be allowed him butt itt cannott be yett attained to be done by the towne in generall, and foe our refuge is to this honored Court that it may be done according to the law of God and the Countrey.

WILLIAM BUSWEL,	EPHRAIM WINSLEY,
SAMUEL FELLOWS, fenior,	ISACK BUSWEL,
JOHN ILSLY,	JOHN SEVERANCE,
JOHN GILL,	JOHN STEVENS, fen ^r ,
JOSEPH FFRENCH,	EDWARD FFRENCH. ⁸⁸

The court postponed the confideration of the petition to the ensuing session at Hampton, and nothing is found to indicate its ultimate fate.

Wheelwright, as has already been intimated, though constant to his pastoral duties, was not inattentive to temporal concerns. Indeed, for the decent support of his large family, he must have found it necessary to engage in some remunerative occupation, outside his profession. It was customary and expected that a country minister should eke out his salary by the cultivation of the soil; and Wheelwright had farming lands which he doubtless tilled with his own hands, while he was settled in Exeter, Wells, Hampton, and Salisbury. He was also interested in saw-mills in Wells and Hampton, which were a source of some revenue. These possessions involved him in dealings with divers persons, some of whom were delinquent in performing their engagements. The consequence was that Wheelwright, who stood up manfully for his rights, was obliged to have recourse on several occasions to the strong arm of the law. The records of the court on the criminal side show also one

⁸⁸ Records of the old county of Norfolk, at Salem.

one case in which he was interested. In 1675, Thomas Rawlinson was presented for charging the pastor of Salisbury church with "inhumanitie." What particular act of Wheelwright he thus stigmatized cannot with certainty be learned; but it is very possible that it was the advice which the former is reported to have given, some years previously, in regard to the execution of a cruel sentence against some Quaker women.⁹⁹ If that was the case, the claims of the "higher law" were not recognized by those in authority two centuries ago; for Rawlinson was tried and convicted, publicly admonished of his sin, bound over to good behavior, and mulcted in costs.

It would have been a wonder if so stirring and resolute a man as Wheelwright had succeeded in wielding the great powers which his position gave him in the town, without making an enemy. After living in Salisbury for half a generation, it was his fortune to come in collision with one of the principal members of his church, Major Robert Pike, a man of strong will and of no insignificant position.¹⁰⁰ The

original

⁹⁹ The incident is related by Bishop, in his *New England Judged*, 368, and n. (2d ed.) Richard Walderne issued a warrant at Dover, the twenty-second of December, 1662, directed to the constables of ten several towns, requiring them to take and convey through said towns, at the cart's tail, three Quaker women, whipping them upon their naked backs not exceeding ten stripes apiece in each town. The cruel order was performed with more or less strictness until the poor women reached Salisbury, where Walter Barefoote humanely procured the constable to make him his deputy, and set them at liberty.

Bishop says that "John Wheelwright, the priest, advised the constable to drive on, as his safest way." Perhaps the story ought to be taken with some grains of allowance, as Bishop had little mercy on the "priests," and accuses the excellent Reyner, of Dover, of instigating the prosecution. Rawlinson is thought to have been a Quaker, which would account for his imputing to Wheelwright, as a fault, an act which would by the community generally, the court included, have been esteemed meritorious.

¹⁰⁰ The offices of Major in the Militia, and of Assistant, which Pike held, were

original cause of their difference is not known, but there is reason to believe that it was connected with the division of the town,—a sort of transaction which is rarely effected without jealousy and discord. The difficulty between the parties did not break out into open hostilities till several years later.

The first allusion to it which we can discover is in a petition addressed by Wheelwright to the Executive of the Colony, which ran thus:—

To the Hon. Jno. Leverett, Esq^r Gov^r the Pet. of Jno. Wheelwright of Salisbury humbly sheweth —

Whereas your Petitioner is bound for Engl^d. upon vrgent & weighty reasons & is by Major Robert Pike (as he apprehends) injuriously & illegally obstructed causing him to give one hundred pounds bonds for his appearance at Court in Aprill next, to answ^r in a matter wherein he doubts not to cleare his innocency, but shall inevitably be a sufferer by y^e obstruction thereby giuen him in his intended voyage: your petitioner do therefore humbly craue the fav^r of this Hon. Councell so farr to consider the p^rmisses as to favor yr. Peten^r with comanding the above said Major Pike to appeare before y^e hon^d selves & give the reasons of his actions in y^e premises, & y^e Petn^r shall ever Pray.

JOHN WHEELWRIGHT.

This petition was presented about the month of February, 1675-6, and, on the tenth of the next March, the Court of Assistants

were of no small account then. Twenty years before this, Pike had shown the qualities of his tongue and temper by charging the majority of the General Court with breaking their oath in voting for a law which he disrelished. For this offence he was fined and disfranchised, and for four years refused to make any acknowledgment of his offence; but at length, upon the payment of his fine, and by the intercession of the Rev. Mr. Worcester in his behalf, he was restored to the privileges of citizenship.

Affistants and Council, upon mature consideration, "adjudged and declared the warrant of Major Robert Pike whereby Mr. Wheelwright was convented before him, to be illegall, & that therefore Mr. Wheelwright & his sureties are not obliged by the bond given for his appearance at Hampton Court next: And that Major Pike beare the necessary charges of Mr. Wheelwright's attendance upon this Court in this business." ¹⁰¹

Pike was of a temper that could ill brook such a rebuke. It only served to intensify his inimical feeling toward his pastor. It is not strange that he strove to form a party against Wheelwright, nor that he succeeded. Some members of the church gave him their countenance, and thus that body became involved in the feud. It was at this stage of the controversy, probably, that the minister called upon the civil authorities for their intervention, in a petition conceived in moderation and no unkindly spirit.

To the Honoured General Court now assembled at Boston. The humble petition of John Wheelwright pastor of the church of Salisbury, Sheweth

That whereas there has arisen among vs in our church sundry differences, especially about the diuiding of the New Towne from the Old, (concerning which peradventure the Court was not rightly informed) so that our peace is broken & the free comfortable passage of Christs ordinances obstructed. Which differences we haue not been able for the space of about two yeares to compose among & by our selves, & the church refuseth to bring the cause to any open, publicke hearing:

You would be pleased to graunt & declare, that our cause may be brought

¹⁰¹ Massachusetts Archives, "Ecclesiastical." vol. i. p. 37. The purpose for which the energetic old minister contemplated a voyage to England, at this time, has not been ascertained.

brought before a Counsel wth you shall appoint, that they may giue vs a full hearing, who by their right judgement of things, & graue advice according to god, may afford vs their assistance in remouing offences, & the settlement of peace y^t hereby gods ordinances wth vs may haue their free course the church & people edified, the glorious Gospel of our lord & sauiour adorned, & the name of the greate god which is called vpo vs be glorified.

So shall y^{or} humble petitioner pray &c.¹⁰²

The judicious request for the appointment of a council of disinterested men to investigate the causes of the trouble at Salisbury, and advise the best means of effecting a reconciliation, was disregarded for the time; and the parties, left to their own devices, went only wider asunder. Pike made many charges against Wheelwright, some of them in writing, and went so far on one occasion as to call upon him publicly to "cast the beam from his own eye," before attempting to remove the mote from his brother's eye. A majority of the church supported Wheelwright, but a considerable minority sided with his opponent. When the brethren attempted to subject Pike to discipline for his misconduct, he "refused their judgment with much contempt." Thereupon they resolved to expel him, "if he repented not;" and Wheelwright, granting him but small *locus penitentiae*, pronounced sentence of excommunication upon him.

While matters were at this serious pass, in the spring of 1677, several disaffected members of the church and inhabitants of the town addressed a petition to the General Court, in which they alleged that Wheelwright was the cause of the disturbance; that his preaching had a tendency to inflame

¹⁰² Mss. Archives, "Ecclesiastical," vol. i. p. 114.

inflamm the minds of the people one against another; and prayed that he might be removed from his ministry. The Legislature then recognized the propriety of the course previously proposed by Wheelwright, and appointed a Committee of several of the most prominent and judicious citizens of the colony to repair to Salisbury, inquire into the difficulties, and if possible bring them to a peaceful conclusion.¹⁰³

The duty assigned the Committee was performed in a satisfactory manner. Like most referees, they divided the blame between the parties; but they attributed to Pike much the greater share. They required him to make confession of his faults, and enjoined the church thereupon to receive him again into communion. And, finally, they counselled the town to procure an assistant to their aged pastor in the work of his ministry, "not abating," however, "his former maintenance among them."

The Committee wisely determined to remain and see their award carried into effect; which, after a night's consideration, and with some difficulty, was accomplished.¹⁰⁴ So far as appears, it was no hollow truce that ensued, but a genuine pacification: the parties having once been brought together, remained ever after on terms of concord and amity.

The remaining two years of Wheelwright's life were
apparently

¹⁰³ 5 Mss. Colonial Records (part 2), 144. The Committee consisted of "Maj. Gen. Denison, Thomas Danforth, and Joseph Dudley, Esqs., Maj. Thomas Savage, Capt. Hugh Mason, Capt. Daniel Fisher, Maj. Samuel Appleton, and Mr. Thomas Graves." Five or

six of the number went to Salisbury, and took part in the investigation.

¹⁰⁴ 5 Mss. Colonial Records (part 2), 180. The report of the Committee recites many of the circumstances attending the progress of the difficulty, which have been stated in the text.

apparently unclouded with trouble or care. He probably continued to perform his pastoral duties a great part of the time, for no regular assistant was employed till June, 1679, when the Rev. George Burroughs, whose name afterwards acquired a sad prominence in one of the most tragical chapters of New England history,¹⁰⁶ was engaged to render him aid, upon a stipend raised by voluntary monthly contributions.

The old pastor's work was now substantially over. He had reached the venerable age of eighty-seven years, with remarkably little diminution of his powers of body or mind. The end was near, and it was decreed in mercy that it should come without protracted helplessness or suffering. He died suddenly, of apoplexy, on the fifteenth of November, 1679. He was buried, tradition says, in the graveyard in the East village of Salisbury. No chiselled monument marks the spot, nor is any needed, to perpetuate the memory of the man.

A review of the life and character of Wheelwright leads to the conclusion that he has had scanty justice from his contemporaries, or from those who followed them.

He had failings, patent to every eye. He was contentious, and lacked a conciliatory spirit. He never shrank from controversy, but possessed the *gaudium certaminis* in a degree which the highest efforts of self-discipline were scarcely sufficient to overcome. In his encounter with the rulers

¹⁰⁶ This gentleman, a graduate of Harvard, a minister of ability and piety, was a victim of the witchcraft delusion, in 1692. One of the charges against him was that he had performed feats of bodily strength which would have been impossible without diabolical assistance.

rulers of Massachusetts, while he was right in yielding no conviction, he was unquestionably to blame for much of the temper and spirit which he displayed. By a more moderate carriage he might have mitigated the bitterness of strife, though it is difficult to conceive that he could have continued among them without a sacrifice of principle.

Yet it must be said that Wheelwright was neither intractable nor unforgiving. The fair construction of his letters to the General Court and Governor Winthrop, in 1643-4, indicates his capacity both to see and acknowledge his mistakes of judgment and faults of temper. In his later controversy with Pike, when age may have rendered him more querulous and opinionated, he showed that he was amenable to good counsels, and capable of hearty forgiveness.

The impression we are liable to form of Wheelwright is that of an austere man, rigorous in exacting his own, prone to litigation. But this may be a harsh judgment, on our very imperfect knowledge. He was by nature thrifty, and had a large and expensive family to provide for. For several years he was absent in England, where he probably enjoyed little income. His lands yielded their increase, but his position and mode of life required ready money, for which he was straitened, no doubt, often enough to excuse him for pressing others for the payment of his just dues. And we are hardly at liberty to blame even a clergyman for too frequent appearance in the courts of justice, unless we have evidence that he was sometimes found on the wrong side.

It is to be remembered, too, that we have absolutely no acquaintance

acquaintance with Wheelwright's social or domestic life. But he bred his numerous children to become useful and respectable members of society; he was uniformly remembered with esteem and affection by his parishioners in the several places of his ministrations; he gained, and preserved through all changes of fortune, the friendship of two of the foremost characters of his time. If he had not possessed in a high degree the qualities of mind and heart befitting the several characters of parent, pastor, and friend, it is safe to say that these things could not have been.

Wheelwright was notably energetic, industrious, and courageous. His intellect was vigorous and acute; he could boast an ample share of the learning of his age, especially in the direction of his own profession. His sincere piety was not called in question, even by those who differed from him most broadly. With these advantages he must have filled a larger space in the affairs of New England, and exerted a wider influence, if he had not early braved the power of Massachusetts. For this he was never heartily forgiven,—at least, until it was too late for him to retrieve the position he had lost.

It has of late been much the fashion to argue in exculpation of the leaders of the Massachusetts Colony, for their treatment of Wheelwright, as if it would be a disparagement of them to admit that they were liable to any of the failings of humanity. Such a notion is quixotic and superfluous. The excellence and eminence of Governor Winthrop are beyond cavil, and the character of the Puritans of the Bay in general is worthy of sincere respect and admiration. But they were fallible men, living in an age of intolerance,
and

and they made sad mistakes. Their conduct towards Wheelwright constitutes, in our judgment, their least title to respect. But they did so much for virtue and humanity that we can afford to look their failings in the face. The exact truth can never harm them. In their character, the lights only stand out in greater prominence by reason of the contrasting shadows.

Wheelwright, in making his brave stand for freedom of opinion and of speech, was far in advance of his age. At the present day, we are in a position to appreciate the pure gold of his principles, purged from the dross of passion and prejudice. While we recognize his foibles,—and who, even of the great leaders of the world, has been without them?—we believe that impartial history will award him no insignificant place among the heroic spirits who have been content to subordinate ambition, and all personal considerations, to the dictates of the highest duty.





THE WHEELWRIGHT DEED OF 1629; WAS IT SPURIOUS?



HE Wheelwright deed, as it will be termed in this paper, by way of distinction, purports to be a conveyance, by four Indian chiefs, — Passaconaway, Sagamore of Penacook; Runawit, Sagamore of Pentucket; Wahangnownawit, Sagamore of Squamscot; and Rowls, Sagamore of Newichwanick, — to John Wheelwright, Augustine Storre, Thomas Wight, William Wentworth, and Thomas Levitt, all Englishmen, and described as of the Massachusetts Bay. It assumes to grant the right of the natives to an extensive tract of land in southeastern New Hampshire, and bears date the seventeenth of May, 1629.¹⁰⁶

The instrument was found, probably between the months of April and August, 1707, seventy-eight years after its date, "on the ancient files for the County of York,"¹⁰⁷ Maine, in the

¹⁰⁶ The deed is given in full at the end of this paper.

¹⁰⁷ Such was the certificate of Judge Hammond, the Register. 1 Belknap's Hist. New Hampshire App'x. iv.

the vicinity of the spot where Wheelwright, the first and principal grantee, lived for some years, and his son and heir had resided ever after; certainly a natural and proper place of deposit. It was lit upon, Cotton Mather writes, by a gentleman "as honest, upright, and pious as any in the world, and who would not do an ill thing to gain a world." He adds that it had upon it irrefragable marks of antiquity, almost as many as there be years in the number 1629.¹⁰⁸ We are not informed who the person was that discovered it; but it is quite probable that it was Joseph Hammond, who, with his father bearing the same name, both gentlemen of high character and position, had been familiar with and in charge of the records of York County for a long period before.¹⁰⁹ The certificate of Judge Hammond, that the deed was found on the ancient files, is itself almost a refutation of the hypothesis that it was a recent fabrication, surreptitiously deposited there.

The deed was subjected to the test of public scrutiny shortly after its discovery, in the trial of the great land-suit of Allen *v.* Waldron, in the Superior Court of New Hampshire. Allen, the plaintiff, had acquired the title of John Mason, the patentee, to the entire province of New Hampshire; and his suit was a test-case, brought against Waldron, one of the most prominent citizens, to determine whether Allen had the paramount right to the whole of that extensive and then valuable territory, or the occupants of the soil were to be assured in their titles to the farms which they had in good faith reclaimed, inherited, or purchased.

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¹⁰⁸ 3 Belknap's Hist. N. H. App'x
No. 1.

¹⁰⁹ 2 Williamson's Hist. Maine, 75.

A judgment for Allen would insure him opulence and consequence, and he prepared for the struggle with the diligence and care which its importance demanded. His title had been submitted to distinguished counsel in England, and he retained the ablest lawyers in the new world to conduct his suit here.¹¹⁰ He was further fortified by an order from the Queen in Council, requiring the New Hampshire jury to return a special verdict in the cause; that is, not simply a finding in favor of the plaintiff or defendant, as the case might be, but a statement of all the facts proved before them; from which the English Court were to render the final judgment.¹¹¹ It is evident, therefore, that, as Allen had neglected no preliminary preparations to insure success, so no stone would be left unturned in his behalf in the conduct of the trial.

The issue had been submitted to a jury in the Inferior Court, in April, 1707, and the verdict had gone for the defendant. Allen, the plaintiff, took an appeal to the Superior Court to be held in August; and, according to the practice, delivered to the defendant, in July, his Reasons of appeal, reduced to writing. To these the defendant furnished a written Reply. It does not appear when the Reply was brought to the plaintiff's notice; but, as the purpose of it was to apprise him of the grounds of the defence, it

¹¹⁰ Sir Geoffrey Palmer, Sir Francis Winington, and Sir William Jones gave opinions in favor of Mason's title, through which Allen claimed; and James Menzies and John Valentine were his counsel at the final trial in New Hampshire.

¹¹¹ 2 New Hampshire Provincial Papers, 544. In that volume all the papers relating to the suit of Allen *v.* Waldron are given *in extenso*, and the reader of this article can readily find among them the documents here mentioned, without further special reference.

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it is to be presumed it must have been a reasonable time before the trial. The Reply gave notice that the possession of the demanded premises by the defendant's father (under whom the defendant claimed) was "grounded on a very good deed . . . from the Indian sachems . . . bearing date the 17th May, 1629."

As this was the first allusion to the Wheelwright deed, in a controversy which had been stoutly maintained for years, it may well be supposed that Allen's counsel would lose no time, after the notice, in seeking out and inspecting the new piece of evidence to be used against their client. It was either in the possession of the defendant, or on file in the registry of deeds in York County, only a few miles from Portsmouth, where the trial was to be had; and, in either case, was to be seen on application.

When the final hearing came on, therefore, the plaintiff undoubtedly knew all that he desired about the place of deposit, the discovery, and the appearance of the instrument. If there had been any thing deceptive in the handwriting of either of the various parties to it, or suspicious in any of the circumstances connected with its production, it would beyond question have been made the most of in Court; for every lawyer knows how detrimental to a cause is the exhibition of a document which may reasonably be suspected of falsity. But no exception appears to have been taken to the deed: it was laid with the other evidence before the jury, and they reaffirmed the verdict for the defendant.

Allen then claimed an appeal to the Queen in Council, and the case was transferred to that tribunal. And it was at this stage of the proceedings, months after the trial in New Hampshire

Hampshire, that the genuineness of the deed was first drawn in question. George Vaughan, agent for Waldron the defendant, wrote from London, probably about the commencement of the year 1708, to Cotton Mather, to learn his thoughts upon the question, "How a date in the year 1629 could consist with the true time of Mr. Wheelwright's coming to America?" he having first landed *in Boston*, with his family, in 1636. Mather's reply was dated the third of April, 1708, nearly eight months after the trial in the Superior Court of New Hampshire.¹¹²

John Usher, of New Hampshire, in a letter to the Lords Commissioners of the Board of Trade in London, which reached them the twenty-eighth of June, 1708, mentions the trial of *Allen v. Waldron*, the production of the deed, and adds: "Upon inquiry, Mr. Wheelwright came into the country many years after the date of said deed;" and thereupon expresses his belief that the deed was false.¹¹³ Usher was interested with Allen in the matter, having a mortgage of his New Hampshire domain.¹¹⁴

Now there is nothing unusual in the losing party in a suit at law complaining that he was defeated by forgery or perjury: it is so common that no one attaches much importance to it, unless it is substantiated by specific allegations and proof. In the present case, the charge rested upon a single ground,—that the deed bore date before Wheelwright's arrival in this country. Vaughan's and Usher's letters

¹¹² 3 Belknap's Hist. N. H. App'x. communication has the authority of the
No. 1. Rev. Alonzo H. Quint, D.D.

¹¹³ 1 Historical Magazine, 57. The ¹¹⁴ 1 Belknap's Hist. N. H. 310.

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letters agree in this. No intimation was given that any other cause existed for doubting its genuineness.

There is every reason to believe that, if any substantial objection to the deed could have been devised, the English appellate tribunal would have set aside the verdict against Allen. On a former trial of the cause, the provincial court, following the example of Massachusetts, had refused to allow Allen's appeal to the king; an act which was highly resented in England.¹¹⁵ At this time, fresh cause for indignation had been given to the English authorities by the audacious conduct of the juries, both in the Inferior and Superior Court, in deliberately setting at naught the order of the Queen in Council to find a special verdict in the case. Add to this the fact that the questions at issue had long been a source of trouble to the English Court, and it is apparent that, if the forgery of evidence had now been added to the other misdoings of the provincial land-claimants, the appellate tribunal would have made quick work of a judgment obtained by such means. But though Allen lived eight years after that, yet the appeal never was decided. His heirs at law were minors; and it is a most significant fact, that after his death no steps were taken in their behalf to revive or prosecute the litigation. More convincing proof could not be desired that the theory of the forgery of the deed was found wholly untenable and baseless, than this protracted delay and final abandonment of the claim. The history of these proceedings, showing the tests of authenticity through which the Wheelwright deed passed when it was first brought before the public notice,

¹¹⁵ 1 Belknap's Hist. N. H. 309.

notice, and the triumphant manner in which it withstood all impeachment, surely affords no insecure basis for maintaining the credit of the instrument in after time.

In 1713, the Wheelwright deed was registered in the County of York, Maine; and in 1714, in New Hampshire.

On the twenty-third of August, 1719, Ephraim Roberts and others, for themselves "and a society of about 180 persons named in a list for settling a plantation," purchased of Col. John Wheelwright, of Wells, Maine, a grandson of the Rev. John Wheelwright, and residuary devisee of his estate under two successive wills, a tract of land, ten miles square, lying between Haverhill, Massachusetts, and Exeter and Kingston, New Hampshire, of which Col. Wheelwright gave them a conveyance founded on and reciting the Indian deed of 1629.¹¹⁶ And afterwards, on the twentieth of October in the same year, the Rev. James MacGregor and others, for themselves and one hundred more Scotch-Irish settlers, purchased from Col. Wheelwright a tract of land of equal extent, the site of the original township of Londonderry, and took from him a similar conveyance thereof, referring to the Wheelwright deed as the foundation of his title.¹¹⁷

These purchases were both after the abandonment of Allen's suit, were made by large companies,—the one composed of persons resident in the vicinity while the litigation respecting the title was pending, and the other of shrewd and cautious immigrants, some of them thoroughly educated, and all anxious to obtain a release unquestionably and honestly derived from the Indian proprietors, of the land

¹¹⁶ Registry of Deeds, Rockingham County, N. H.

¹¹⁷ Hist. of Londonderry, 321.

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land on which they had fixed their home. The fact that two such diverse bodies of men had confidence in the title is of no small weight; but to the impartial inquirer the circumstance that Col. Wheelwright gave the sanction of his deliberate act to their faith in the authenticity of the Indian purchase of 1629, should have a controlling significance. He was a man of intelligence, capacity, and high respectability.¹¹⁸ He was a Judge of the Court of Common Pleas twenty-nine years; Councillor, twenty-five years; Judge of the Probate Court, thirty years and until his death. It cannot be supposed that he would himself meddle, or delude purchasers, with a claim in which he had not entire confidence. Nor is it just to assume that he could not ascertain whether his grandfather actually had the negotiation with the Indians in 1629. The Rev. John Wheelwright had died only twenty-eight years before the discovery of the deed. The date of the alleged transaction was less than a century off. Must we say that it is impossible to ascertain whether a conveyance only ninety years old, to an ancestor who lived fifty years after it, is true, or a recent invention? Col. Wheelwright had the paper itself before him; he had the family traditions to guide him; there were scores of men then living who knew his grandfather, and must have heard his accounts of the settlement of Exeter; and if these and all other sources of information had not combined to satisfy his mind that the purchase of 1629 was a real transaction, his character and position forbid the belief that he would have represented it so to others, for any paltry gain he could secure thereby. Indeed, the deeds do not import that he

¹¹⁸ 2 Williamson's Hist. Maine, 76.

he received any consideration whatever. Col. Wheelwright's conduct, therefore, twelve years after the instrument was exhumed from the ancient files of York, must be taken to be a most authoritative indorsement of the genuineness of the Wheelwright deed.

In 1728, nine years after the conveyances by Col. Wheelwright, the first historical sketch of New Hampshire, of which we have any knowledge, was compiled by the Rev. Jabez Fitch, of Portsmouth. Born in 1672, and a graduate of Harvard College, Mr. Fitch was ordained as a minister in Ipswich, Massachusetts, where he continued till 1725; when he was settled in Portsmouth; the place of his residence until his death in 1746. While an inhabitant of Ipswich, he could not have avoided hearing often of the great New Hampshire land-controversy, and learning something of its nature and merits. Arrived at Portsmouth, he, of course, sought the information for composing his history from the most trustworthy authorities. He records the Wheelwright purchase, as a fact admitting of no question, in these terms: "Some of the first planters purchased the native right to the soil of the Sagamores (with the universal consent of their subjects), for themselves and any other English that should be disposed to settle here; for they were then desirous that the English should dwell among them, by which means they hoped in time to be strengthened against their enemies, the Tarrateens, who frequently annoyed them."¹¹⁹ It will be seen that most of these expressions were copied from the Wheelwright deed.

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¹¹⁹ See the original MS. of the history, in the possession of the Massachusetts Historical Society.

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In 1739, eleven years after the composition of Fitch's historical essay, the controversy respecting the boundary-line between New Hampshire and Massachusetts was brought to a hearing. The printed brief of the latter, used on that occasion, is positive in the assertion of the Wheelwright purchase in 1629, containing this language: "The Indian princes, to strengthen themselves against their enemies, the Tarrateens, by receiving the English among them, bargain and sell to John Wheelwright and others of the Massachusetts Bay, their heirs and assigns, all that part of the main land between the rivers of Merrimac and Piscataqua, thus described," — giving the description contained in the Wheelwright deed.¹²⁰

In 1748, nine years subsequently to this, Dr. William Douglass published the first volume of his Summary, or "Historical Account of the British Settlements in America." He had lived in Boston from 1718 to that time, — a period of no less than thirty years. As a long resident in the adjacent colony, and as a careful historian, he could not have failed to know that the title to the territory of New Hampshire had been in litigation, and what was the best opinion of the day in regard to the questions arising therein. He relates the Wheelwright purchase as a fact admitting of no doubt, in these words: "Anno 1629, the chiefs of the Indians of Merrimac river sold to John Wheelwright and others of the Massachusetts Bay colony, all that land, beginning," &c., — reciting the description given in the now controverted deed.¹²¹ Later editions of the work, up to 1760, contain the same statement, without alteration.

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¹²⁰ The New Hampshire Historical Society have a copy of the brief.

¹²¹ 1 Douglass's Summary, 419.

In 1784, twenty-four years afterward, the first volume of Belknap's History of New Hampshire appeared, which was reprinted in 1792; in both editions unreservedly affirming the truth of the Wheelwright purchase.¹²² Nor was this done in ignorance that the charge of forgery had been raised against the deed, for Belknap in his third volume gives the letter of Cotton Mather upon that very subject.

In 1792-4, the two volumes of Ebenezer Hazard's Historical Collections were issued, in which the deed in question was set out as an undoubted document.¹²³

After this date, narratives of the early settlement of this region multiply, all stating the purchase of 1629 as an indubitable part of the history of the time; no question having been raised thereon until the elaborate attack upon its credibility made by the Hon. James Savage, about the year 1820.

The Wheelwright deed, therefore, having safely run the gauntlet of a sharply contested suit at law, and emerged unscathed from a charge of forgery strenuously urged before a jealous and critical tribunal; supported by the opinions of those upon the spot, interested and disinterested, who were best qualified to pronounce upon it; adopted into the annals of the times, and maintaining its place there unquestioned for a century, — must be taken to have thus become part and parcel of our common history, and, as such, to be entitled to all the credence and presumptions of truthfulness which attach to time-honored relations in general.

It is obvious at a glance, that a narration which has been received as correct by inquirers and writers for generations,

¹²² 1 Belknap's Hist. N. H. 10.

¹²³ 1 Hazard's Collections, 271.

tions, does not stand in respect to credit exactly like a new, untested, and unverified assertion. It has certainly gained some currency, some claim to be trusted as actual fact, by the indorsement which years of universal and undoubting acceptance have given it. History is originally made up from the best information attainable at the period when it is written. Certain facts are predicated from records sure to be preserved, whose accuracy cannot be controverted; but by far the greater proportion are gathered from perishable and disputable materials, like private writings, oral communications, and current beliefs. While history is new it is plastic, and can be moulded into different form by increased and more accurate knowledge. But, as time goes on, its consistency becomes more firm. The mind is naturally impressed with the idea, that statements which bear the ordeal of years of inquiry and new discoveries, are likely to be correct. The great bulk of the materials of history go gradually to decay. They have done their work in shaping and sustaining the new-made chronicles of their times; and when they perish, the chronicles have outgrown the need of their support. History, when old, takes the place of the evidence on which it was founded, and proves itself.

It is not too much to claim, then, that a statement which has maintained its hold upon the belief of a century, through all published accounts, must be regarded as *prima facie* true, and only to be disproved by evidence of the most cogent character. The burden of proof is upon those who would impeach it. If they fail to demonstrate that the received statement is false, their impeachment falls; the presumptions in favor of the statement prevail, and it must be

be taken as correct. Any other rule than this would put our history on a par with old-wives' tales; and we should hold our most cherished beliefs at the mercy of the first ingenious innovator who could weave a plausible hypothesis for their annihilation. I rejoice in the confidence that the invaluable lessons of the past are not liable to be unsettled by any thing short of absolutely convincing evidence.

And if such is the rule of reason and justice in ordinary cases, how much more propriety is there in its enforcement where the denier of a historical statement can only make out his case by proving the commission of a flagrant crime? The law of evidence in our courts of justice provides that a criminal offence is provable only by testimony which satisfies the mind beyond all reasonable doubt. And surely no weaker evidence should suffice to accomplish the double result of destroying our faith in a long-accepted historical fact, and of convincing us of the truth of a gross criminal charge. The authenticity of the Wheelwright deed cannot be impeached without establishing a most improbable case of wicked forgery.

In this connection, it is important to note the extreme paucity of information in our possession respecting the early affairs of New Hampshire. It may be almost said that no records or documents of a date prior to 1642, nineteen years after Thompson and the Hiltons founded the settlement, exist, to throw light upon that portion of her history. Consequently, it would be in the highest degree unsafe to infer that an occurrence took place at that period because there is now no evidence to contradict it, or that an occurrence did not take place because there is now no evidence

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dence to confirm it. No conclusions are fairly to be drawn from want of evidence, in such cases.

Before attempting to measure the force of the considerations which have been arrayed against the reality of the Wheelwright purchase, it is useful to look for a moment at the probabilities of the case, as they present themselves upon uncontested contemporary facts.

The Rev. John Wheelwright, in 1629, was about thirty-seven years of age, and had been a clergyman of the English Church probably for ten or twelve years, the last six of which he was in charge of the parish of Bilbby, near the town of Alford, in Lincolnshire, England. He was a man of leading character, of advanced opinions, and of bold speech; one who in those times might well look forward to being silenced, any day, for non-conformity, — as he was, in fact, not long after that date. What is more natural than that his thoughts should then be turned towards New England, already noted as a harbor for the oppressed, as a place of refuge for himself, should he be forbidden to exercise his clerical functions in his native land?

He quitted his parochial charge about the year 1632; but lived in the same vicinity most of the time until 1636, when he came over with his family to the new world. In the autumn of 1637 he was banished from Massachusetts, and proceeded to Exeter, in New Hampshire; where, by the fourth of July, 1639, he was surrounded by at least six men, and perhaps more, who had been his friends and parishioners in England; some, if not all of them, heads of families.¹²⁴

Now,

¹²⁴ Augustine Storre, William Wentworth, Samuel Hutchinson, Edward Rishworth, Thomas Levitt, Christopher Lawton, and Christopher Helme probably

Now, it is only when we consider what a momentous step it was in that age to transplant one's family and home from the midst of friends and comforts in the old country, to the wilderness and privations of the new, that we can realize how remarkable was the occurrence of so considerable a proportion of the better class of the inhabitants of the petty hamlet of Bilfby quitting the abode of their fathers, to establish themselves, not in the more inviting regions of America, but in a new, unknown, inland locality, where were all the hardships and dangers, with none of the alleviations, of frontier life.

In seeking for a key to conduct so exceptional, the mind naturally suggests that it must have been the result of some preconcerted plan or agreement. Wheelwright had not been the pastor of the immigrants from Bilfby for some half-a-dozen years before the settlement at Exeter. It was not the case, therefore, of attached friends *accompanying* their persecuted minister to the place of his exile. Most of them came over independently of Wheelwright, and probably after he went to make Exeter his home. Now, if Wheelwright, while living among them, had formed with these parishioners a project for emigrating in a body to America, and especially if they had gone so far as to secure a site for a settlement here, then this mysterious change of abode of so many of the inhabitants of Bilfby to a remote and secluded spot would be naturally and completely accounted for; and it is difficult to see that it could be, on any other hypothesis, so well.

Wheelwright

bably all came within these designations. — See 21 *N. E. Hist. and Gen. Register*, 315, 22 *Id.* 139, and 23 *Id.* 185.

Wheelwright was not the man to lead into difficulties and sufferings, blindfold, the devoted relatives and friends, who were willing on his account to root up old affociations and attachments. His conscientious and resolute heart would regard a voyage across the ocean as nothing, if it would enable him to smoothe the way for his followers, and prepare a secure and independent retreat for them in advance.

Again, it has been a source of wonder that Wheelwright, when banished from Massachusetts, did not go to Rhode Island, where he was sure to find, not only toleration, but relatives and sympathizing friends. Callender says that the Puritans there "had desired and depended on" his ministrations.¹²⁸ If, however, he had, years before, fixed on the location in New Hampshire for his future home, established an understanding with the natives to that effect, and arranged with his English friends for a settlement there, all wonder ceases that he did not adopt what would have otherwise seemed the natural course of removing to the genial and fertile shores of Narraganset.

Another circumstance merits notice, in this connection. It was the duty of Wheelwright, as Vicar of Bilfby, to make up annually, on the twenty-fifth of March, a transcript of the parish-register for the past year, and to deposit it in the registry of the Bishop of Lincoln. If Wheelwright had been at his post in England on the twenty-fifth of March, 1629, he would have prepared a transcript for the year 1628-9. But no such paper is to be found. It is

¹²⁸ Callender's Historical Discourse, Eliot's Biographical Dictionary, article in 4 Collections R. I. Hist. Soc. 116; "Wheelwright."

is a fair inference that he was then absent; and, if so, where was he, unless on his way to America? It may be said, however, that a transcript may have been made, and, during the lapse of more than two centuries, lost. This is quite possible, though those for the years 1628 and 1631 are preserved, and in their proper place.¹²⁶ But when the question was raised in 1708 before the Privy Council, in Allen's appeal, whether Wheelwright was in America in 1629, and it was deemed necessary to send to this country for information on the point, there can be no doubt that inquiry was instituted on the same subject in England. As a matter of course, the registry of the Bishop of Lincoln would be consulted. If a copy of the transcript had then been found, or any other document to show that Wheelwright could not have visited New England in 1629, Allen would have displayed it in triumph, and the Court would certainly have granted an immediate order for a new trial of his cause, accompanied with directions to the Queen's attorney-general here to prosecute for forgery all parties concerned in the uttering of the Wheelwright deed. The fact that Allen, on the contrary, was suffered to languish for the remainder of his life in hope deferred, indicates that no document under the signature of Wheelwright, showing that he could not have visited the new world in the spring of 1629, was extant one hundred and sixty-seven years ago. And this greatly strengthens the probability that no transcript was ever made, and that Wheelwright was really absent at the time in question.

These several circumstances, though each in itself of
flight

¹²⁶ 22 N. E. Hist., and Gen. Register, 350.

flight weight, yet all concurrently point in one direction,—to the probability that Wheelwright did leave his people in England in the spring of 1629, in pursuance of a scheme for a future joint emigration to America, and secured a place for their reception at the falls of the Squamscot, in New Hampshire. Such a transaction, of course, could be nothing but the purchase of 1629.

Having thus seen the claims to credibility which the Wheelwright deed possesses, from probabilities supported by indisputable facts, and as an event fully and long embodied in history; and having considered the kind and amount of evidence fairly required to repel the presumptions in favor of its authenticity and before it can be successfully impeached,—we are now prepared to examine the arguments which have been urged to prove it to be spurious. As a matter of convenience, the points will be taken up so as to render the positions here assumed most intelligible, without regard to the order which other writers have adopted.

I. It is alleged, in the first place, that neither of the two persons whose names are subscribed as attesting witnesses to the Wheelwright deed were in this country on the day of its date, the seventeenth of May, 1629.¹²⁷ It is obvious that this objection, if sustained, is fatal; and there is no need of any further argument to nail the deed, like bad money, to the counter. And it argues a want of perfect confidence in the truth of the assertion, on the part of the assailants of the deed, that they do not rest their case on that alone, instead of raising numerous other issues, not one of which, if actually made out in their favor, would be equally decisive.

The

¹²⁷ 1 Savage's Winthrop, 2d ed. 505, 6.

The names of the attesting witnesses are John Oldham and Samuel Sharp. There were, certainly, two persons bearing those names in Massachusetts after the time in question, and one of them had been in this country before.

1. John Oldham first came out to Plymouth, in America, in 1623. Two years afterward, he was driven from that colony, and lived in Nantasket; but was again restored to favor, and in 1628 was sent to England as a witness against Morton, of Merrymount. All authorities agree that he was a man of enterprise, and well acquainted with the Indian trade. He had become possessed of a grant from John Gorges, under the patent issued to his brother Robert in 1622, of lands lying on the Massachusetts Bay; and while in England in 1628-9 endeavored, without success, to make some arrangement with the Massachusetts Company for his occupation and proprietorship of the same.

Nothing further is heard of Oldham *in Massachusetts* until 1631, when he was admitted freeman. Where was he, and what was he doing in the mean time? It is argued that he was in England till the eleventh of May, 1629, when it would be too late for him to reach this country in time to witness the Wheelwright deed. The first evidence adduced to substantiate this position is drawn from the records of the Massachusetts Company, then kept in England. Under date of the second of March, 1629, they contain this entry: "Towching Jn^o Oldam, the gouer^r was ordered to Conferr wth him vppon aney Indifferent Course that might not bee preiudiciall to the Comp." Under date of the fifth of March, the following: "A newe prposicon beeinge made in the behalfe of m^r Oldum to bee Intertayned [by] this

Comp:

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Comp: It was deferred to further confideracon." And on the tenth of March, "Capten Ven, m^r Eaton, m^r Samuell Vaffall, & m^r Nowel, & m^r Whetcombe, or an[y] three [of] them are Intreated once more to conferr with m^r Jn^o Ouldham, [to see what] Comodacon may bee made twixt the Comp. & him, y^t [their differences may be C]omodated."¹²⁸

Up to this date, it is immaterial to our inquiry where Oldham was. Between the tenth of March and the seventeenth of May, there was abundant time for him to cross the Atlantic and repair to the falls of the Squamscot.

So far as can be learned from the records, the committee that had been "intreated" to confer with Oldham never succeeded in doing so. It was not because the matter was considered of trifling consequence, for his claim was evidently deemed by the Company an important one, and this was a final attempt to adjust it with him. There was the strongest reason to expect, therefore, that the committee would seek him out, if he was to be found in the country. The fact that they did nothing affords a presumption, at least, that he was not where he could be communicated with. The committee made no report.

But under date of the eleventh of May, 1629, this record appears: "This day m^r Ouldum propounded vnto m^r White that he would have his patten examined, and its agreed by the Courte not to haue any treatye with him about it, by refone its thought he doth it not out of loue, but out of some fynister respect." Does this entry prove that Oldham was then in England?

White

¹²⁸ The Company's Records, in 3 *Archæologia Americana*, 14, 15, 22.

White was not present at the meeting of the Company.¹²⁰ Consequently Oldham's "propounding" of the examination of his patent could not have occurred at the meeting. White must have apprised the Company of the proposal of Oldham, by letter or message. Oldham, of course, did not attend the meeting, or his proposition would not have been made to White, the attorney, but to the Governor and Company, the parties there present, who were to decide upon it. And if Oldham had been in or about London at the time, with an overture to present for the Company's consideration, White, instead of receiving it himself, would undoubtedly have directed him to take it in person to the Company, at their meeting.

It seems clear, therefore, neither White nor Oldham being present, that the secretary must have made up his record, in regard to Oldham's proffer, from some verbal or written communication from White. The expression "this day," in the record, then, must be construed to refer to the time when the matter was brought before the Company, and not as fixing the time when Oldham actually made the proposal to White. As we have seen, Oldham was, probably, not in London at the time, and, if not, there is no evidence that he was in England. On the question, when, where, or how he propounded to White the examination of his patent, we are entirely in the dark. It may have been orally

¹²⁰ Company's Records, in 3 Arch. Americana, 31. It is true that in the version of the Records in Young's *Chronicles of Massachusetts*, 69, White is represented as at the meeting on the eleventh of May. But, upon the more careful inspection of the original

MS. for publication in the Arch. Americana, it was seen that what had been before misread White, was in reality the latter part of the name of Foxcroft, the earlier letters having been torn away or become illegible.

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orally or in writing, in person or through an agent. It may have been sent from Land's End or Lincolnshire, and have borne date any day after his former communication of the fifth of March.

So much for the *records* of the Massachusetts Company. They not only do not show that Oldham was in England within the two months prior to the execution of the Wheelwright deed; but they render it probable, to say the least, from the failure of the committee of the tenth of March to confer with him, that he had left the kingdom, at or soon after the date of their appointment. -

The only other evidence relied on by those who would invalidate the deed, to prove an *alibi* for Oldham, is contained in the letter of the Governor and Company of the Massachusetts Bay to John Endicott, dated the seventeenth of April, 1629. This is the first passage: "fynding him (Oldham) a man altogeather vnfitt for vs to deale with, wee haue at last left him to his owne way: And, as wee are informed, hee, wth some others, are prvyding a vessell, and is mynded as foone as hee can dispatch, to come for New England, prtending to settle himselfe, in Mattachusetts Bay, clayming a Tytle," &c.¹³⁰ The argument is that this statement, in a letter bearing date just a month before the Wheelwright deed, proves that Oldham was then in England, with too little time to allow him to cross the ocean to witness the execution of the instrument.

But we must recollect that this is a very long, general letter of instructions, plainly not written at a sitting, but
made

¹³⁰ Letter, in 3 Arch. Americana, 82.

made up from time to time, as events occurred, or subjects suggested themselves. It contains the intelligence of weeks, if not of months. The committee to write letters was appointed the sixth of April, and they evidently first prepared an account of all that had transpired, or had been reported, up to that time, and added other matters as they arose; dating the whole, as is usual with foreign letters of accretion, on the day when it was to be forwarded. The letter begins with an acknowledgment of the receipt of a communication of the prior September; then follows an account of obtaining the King's patent for the incorporation of the Company. That patent was formally completed on the fourth of March, 1629, more than a month before the date of the letter. The statement concerning Oldham is in the early part of the paper, and undoubtedly comprised the latest information which the Company then had in regard to his movements and designs.

It is altogether probable that the operations of Oldham were not carried on at London, but in some part of the kingdom not readily accessible from the capital. Otherwise the Company would have been able to obtain more definite knowledge respecting him. They believed that the vessel which he was fitting out with despatch was designed for the Massachusetts Bay; but the event proved that they were misinformed on that point, for Oldham did not make his voyage thither. Those were days of small inland communication, when the doings of a person in a distant part of the kingdom were as little likely to be known as if he were beyond sea. Oldham might almost have built his vessel and set sail in her, at some remote point on the coast, before the
report

report that her keel was laid would have reached the Company at London. It would be a wonder if they had kept informed, within a month, of his movements. The letter of the Governor and Company to Endicott, therefore, cannot be relied upon to prove where Oldham was at the time of its date, or probably for weeks before.

There is a second postscript to this letter, which has been thought to indicate Oldham's continued presence in England; but it is so clearly in the past tense that it is remarkable that any person could have drawn such an inference from it.¹³¹

These are all the arguments which have been adduced in support of the pretence that Oldham could not have been in New England, to set his hand to the Wheelwright deed, on the seventeenth of May, 1629. It is submitted that they come entirely short of their purpose; nay, that they even contain an implication in the opposite direction. They show that Oldham was making ready to leave England for the new world. They do not fix any date; but circumstances render it probable that it may have been in the very early spring. From this evidence alone, we should perhaps be justified in the inference that he did visit these shores before the letter to Endicott arrived.

But there is very direct proof of the fact from another source. It is derived from the grant from the Council of Plymouth, to Richard Vines and Oldham, of the territory of what is now Biddeford in Maine, dated the twelfth of February, 1630. The instrument recites that Oldham had
"already

¹³¹ 3 Arch. Americana, 95.

"already at his own proper cost and charges transported (to New England) and planted there divers persons, and hath for the effecting that so good a work, undergone great labor and danger."¹²² Now there are contemporaneous accounts of Oldham sufficient to make it reasonably certain that he had not, before 1629, done any colonizing in New England, beyond fetching out his own wife and children in 1623, which could hardly have been considered a sufficient foundation for a grant of land in 1630; consequently the inference is almost irresistible, that the "divers persons whom he had transported and planted" here must have been brought over in the season of 1629. So, too, the "great labor and danger" which Oldham is said to have undergone in effecting the good work of colonization can refer to none of his known antecedents prior to 1629, and are only to be explained as relating to the fatigues and perils of a voyage in that year.

That voyage, then, was made to New England, but not to Massachusetts. Whither was it? The probabilities all point to the mouth of the Saco; for it is only natural that he should have planted his colonists on the land where he intended to take his grant. Who were the "some others" concerned with Oldham in fitting out the vessel for the voyage? Richard Vines, probably, was one. Was John Wheelwright another?

One of the questions triumphantly put by those who deny the reality of the Wheelwright purchase is, How could Wheelwright reach this country in 1629, and without his

¹²² Folsom's Hist. Saco and Biddeford, 318.

his arrival being known in Massachusetts? Here is a simple solution of the problem: Wheelwright might have come with Oldham, directly to the Saco, and, without visiting Massachusetts at all, have returned with him, or in some other vessel from an eastern port, the same season. Oldham, no doubt, sailed for England again in time to take out his grant,—the twelfth of February, 1630. Thus, there would be nothing extraordinary in Wheelwright's coming to New England being entirely unknown in Massachusetts.

Oldham, by reason of his difficulties with the people of the Massachusetts Bay, would have been only too ready to aid any one in preparing for a settlement in their vicinity which might prove a rival or a trouble to them. And by his acquaintance with the country, and especially with the habits of the natives, he would be the very man to arrange for the meeting of the sagamores with the English, to conclude the Wheelwright purchase, at the falls of the Squamscot.

2. Samuel Sharp is the name of the other witness of the execution of the Wheelwright deed. It has been assumed by those who call the deed in question, that this was *the* Samuel Sharp who was appointed an assistant in the Massachusetts Bay Company in 1629. That gentleman was intrusted by the Company with a letter and other articles to be delivered to Endicott, and was expected to sail for New England in the "George," which did not arrive in Salem until the twenty-third of June, 1629. It is worthy of remark, that there is no absolute proof that he did sail in that vessel. It is quite among the possibilities, though it must be admitted to be improbable, that he changed his purpose,

purpose, and found some more speedy method of reaching our shores.

But there is nothing but identity of name on which to base the assumption that this was the same person whose attestation appears upon the Wheelwright deed. There may well enough have been another Samuel Sharp on the Pascataqua at that time. I am aware that this suggestion has been treated with scornful incredulity. It has been inquired how many myriads of chances there were against such a concurrence; and the attempt has been made to overwhelm the hypothesis by a mathematical demonstration.¹²³ But the common-sense of mankind is not to be obscured by the fallacious use of such arguments. Whatever the antecedent probabilities against such coincidences, the occurrence of the most unlikely double, and even triple, events is not so uncommon as to startle us out of our propriety. Take an instance which has come under my observation while investigating this very subject. The Massachusetts Company contained one hundred and eleven members. The chances are almost too great for computation that, of the millions of inhabitants of Great Britain, two persons bearing the same name would not be found among that small number. Yet that Company actually did contain two John Whites: one the minister, and author of the Planter's Plea; and the other the counsellor, who is said to have been instrumental in shaping the royal charter. But this is not all: at least one, and perhaps two, other men of the name of John White are alluded to in the records of the Company as in some

¹²³ I Savage's Winthrop, 2d ed. 507.

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some way connected with it, or engaged in its service.¹³⁴ When we consider that the chances against each recurrence of the same name increase in a geometrical ratio, we realize how easy it is to argue, mathematically, that these several coincidences could not be expected to happen. And yet the fact is that they did happen; and it only impresses the mind as curious, not marvellous. Wherever the fallacy may be in applying the doctrine of antecedent probabilities to these cases, I feel assured that the statement, that, among the several hundreds of English in New England in May, 1629, there may have been two named Samuel Sharp, outrages no reasonable man's powers of belief, but would be generally accepted as no very wonderful circumstance.

It would not be strange if we had no knowledge of the New Hampshire Samuel Sharp, other than that he witnessed the Wheelwright deed. From the apportionment of the expenses of suppressing Morton of Merrymount, and sending him to England, among the several towns and plantations according to numbers and ability, the population immediately on the Pascataqua, in 1628, may be not unreasonably estimated at not far from three hundred souls; and Edward Hilton, at Squamscot, may be taken to have employed about one hundred more.¹³⁵ Now so completely has all knowledge respecting

¹³⁴ 3 *Archæologia Americana*, cvi. A John White, of Virginia, is mentioned, in addition to all the others.

¹³⁵ The sums apportioned to the various settlements are given in 3 *Mss. Hist. Society's Collections*, 63. Plymouth was assessed £2 10s.; Naumkeak (Salem), £1 10s.; Pascataquack, £2 10s.; Edward Hilton, £1. The population of Plymouth was then near three

hundred, and that of Salem about two hundred. — 1 *Savage's Winthrop*, 2d ed. 508. According to the same ratio, the numbers at Pascataqua and at Hilton's plantation should be not less than those suggested in the text. Of course no accurate results can be expected from this method of computation, but the exact numbers are not essential to the argument.

respecting these ancient inhabitants been obliterated, that we have never even heard the names of nine out of ten of them all.

And yet, by a singular accident, one of the names which *has* survived is that of Samuel Sharp. On the seventh of July, 1631, Samuel Sharp was a witness of the livery of seizin of the land included in the Squamscot patent, to Edward Hilton; an occurrence which happened within half-a-dozen miles from the place of the execution of the Wheelwright deed, and two years later.¹²⁶ It surely requires some boldness, in the face of this evidence, to deny that among Hilton's men, or elsewhere upon the Pascataqua, there *was* a second Samuel Sharp, in spite of the doctrine of chances.

Of course, it is easy to reply that it *might* be the Massachusetts Samuel Sharp who witnessed the Squamscot patent. But I am not aware of a particle of ground for assuming that the Massachusetts Assistant made a journey into the wilds of New Hampshire to accomplish so trifling a formality; and it will be time enough to deal with that suggestion, when it is supported by some faint shadow of evidence.

In view of the considerations here advanced, is it too much to say, that this most formidable argument against the Wheelwright deed,—that its witnesses were not in the country at the time of its date,—is not sustained by proof?

II. A second objection to the genuineness of the Wheelwright deed, on which great stress has been laid, is that it

was

¹²⁶ 24 N. E. Hist. and Gen. Register, 264.

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was dated on Sunday. It is urged that no minister of the gospel would have been engaged in the secular business of purchasing land on that day.¹³⁷

But, not to jump too hastily at conclusions, let us see precisely what the transaction was. It was not a mere commercial affair; it was no bargain for real estate, in the ordinary sense of the term, for as we shall see, later on, the Indians had no power to convey a title to land. It amounted simply to a treaty with them for their amity and good-will; for their permission that Wheelwright, and such English colonists as he might approve, should occupy the soil without molestation or hindrance on their part.¹³⁸ In another aspect, it was the securing of an asylum for men fleeing from persecution, for conscience' sake. Is there any thing in the nature of the negotiation, in either view, that should render it improper to be performed on Sunday, even by the most scrupulous Christian? And if, as is no unnatural supposition, the sagamores and their tribesmen had assembled on that day, ready to complete the business, and unable to appreciate any reasons for deferring it till the morrow, liable to change their humor and disappear before another sunrise, — would it be unlikely that even so punctilious a man as Wheelwright should look upon the work as one of mercy and necessity alike, so as to waive all scruples to its accomplishment on the Lord's Day?

The rulers of the Massachusetts Bay, than whom none were more conscientious respecters of the first day of the week, thought it no defecration of the day to send out a party

¹³⁷ 1 Savage's Winthrop, 2d ed. 511.

¹³⁸ See the provisions of the deed, *infra*.

party of soldiers on Sunday to disarm the chieftain, Passaconaway, in 1642, on the mere apprehension of a combination of the Indians against them; though no hostilities had yet been committed.¹³⁹

But to assert that the Wheelwright deed "bore date on Sunday" is to convey an erroneous impression. The day of the week is not named in the date. The day of the month alone is mentioned,—the seventeenth of May. It is true that the seventeenth of May did fall on Sunday; but if the instrument had specified "Sunday," or "the first day of the week," there would have been no room for mistake; whereas, it being simply "the seventeenth of May," an error of a unit on either side would bring it on a week day. Nothing is easier or more common than such a mistake. We are continually misdating our letters, one, two, or three days, while we have the daily papers lying on our table, and the calendar posted up in the desks at which we write. How much more liable to such an oversight would one have been two centuries and a half ago, in the depth of the wilderness where all times were alike, and there was no almanac within a day's journey!

It curiously happens that an error of exactly the same sort is observable in a document produced in the discussion of this subject as evidence to impeach the deed. The paper contains the depositions of Wheelwright, Edward Colcord, and Samuel Dudley. That of Wheelwright stands first, and is dated the *fifteenth* of April, 1668. Those of Colcord and Dudley are subsequent to Wheelwright's, refer
to

¹³⁹ 2 Savage's Winthrop, *79.

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to it, and corroborate it; but they are sworn to on the *fourteenth* of April,—that is, on the day *before* the deposition of Wheelwright, *to which they allude*, appears to have been written.¹⁴⁰ Here, on their face, the dates are inconsistent; and one of them must be false. Yet no fair-minded investigator would insist that this was evidence of fraud and forgery. The apparent contradiction is susceptible of explanation upon the obvious hypothesis of a mistake of the day of the month on the part of Wheelwright, or of the clerk who made the jurat. Any one who would refuse to accept this method of reconciling the conflicting dates, we should be apt to suspect of obtuseness or prejudice. Yet the inconsistency in the date of the Wheelwright deed is equally easy of explanation, in exactly the same way; and still we are asked to assume that it could not have been a mistake, but must necessarily be proof of forgery.

It appears to me, that an importance has been given to this exception, in every point of view, which does not properly belong to it.

III. A third point, much insisted on as detracting from the credibility of the Wheelwright purchase of 1629, is the allegation that it was never heard of until 1707, seventy-eight years after its occurrence.¹⁴¹

If this were true, there is a very good and obvious reason for it. When Wheelwright set up his abode in Exeter, in 1638, he took two other conveyances from the Indians, covering all the land he desired, and, indeed, nearly the whole

¹⁴⁰ Belknap's Hist. N. H. (Farmer's ed.) 7, note.

¹⁴¹ 1 Savage's Winthrop, 2d ed. 502.

Dr. Bouton has laid peculiar stress upon this exception.

whole of the territory embraced in the purchase of 1629; excepting only a belt on the west side, and the sites of the Pascataqua settlements on the north-east.

Why he wanted a new conveyance, we may easily conceive. The first deed was burdened with stipulations which experience had no doubt shown to be needless and troublesome. It was far easier to obtain a new grant than to perform the conditions of the old. But a yet more potent motive weighed upon his mind. The deed of 1629 contained a distinct provision that the English settlements formed under it should be subject to the government of the Massachusetts Bay, until they established settled governments among themselves. However judicious that may have seemed in 1629, the condition of things had widely changed in the intervening nine years. In 1638, Wheelwright had just undergone sentence of banishment from the Massachusetts Bay, amid circumstances which would render the placing of his new home under that government the farthest thing from his wishes. A new deed from the natives, that should be free from that obnoxious feature, was a necessity. It would not invalidate the former one, of course, but would practically supersede it. We may be sure that the new title would be the only one that Wheelwright would assert, for the term of his banishment at least. This would completely account for the deed of 1629 not being more directly and frequently referred to in after years.

But it is going too far to say that the deed of 1629 was never heard of till 1707.

On the thirteenth of October, 1663, Wheelwright gave
his

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his deposition, which was sworn before the Court at Hampton, as follows:—

“This depon^t testifieth that himselfe wth some others who were to sit down at Exiter did imploy Edward Colcord to purchase for them as he remembers a certayn tract of land from Oyster river to Merimack, of y^e Indians, for which they gave him ten or twelve pound in money & had a grant thereof signed by some Sagamors with their marks upon it, of wh^{ch} Runawitt was one.”¹⁴²

The last clause in this deposition is important to our inquiry, where Wheelwright states that Runawit was one of the Sagamores who signed the deed of the land which he bought from the Indians. Now Runawit did *not* sign either of the deeds of 1638, but his name does appear as a signer of the deed of 1629. It may be admitted that the description of the land, given in the deposition,—“from Oyster river to Merrimac,”—does not correspond with the description in the deed of 1629; and it is quite probable that Wheelwright intended to refer to the purchase of 1638, as we have seen that he practically waived that of 1629. But the stubborn question remains, How did he happen to name Runawit as a grantor, if Runawit *never signed any* deed? It is common, after a considerable lapse of time, to forget names and transactions that actually happened; but who ever heard of remembering a name that never was used?—a thing that never did happen? This difficulty has been poorly met by the suggestion, without evidence, that Wheelwright may have mistaken the name of Runawit for that of Watchanowet,

¹⁴² Potter's History of Manchester, ham County, in the case of Smith v. N. H. 18, note. The deposition is to Wadleigh, A.D. 1711.
be found in the Court files of Rocking-

Watchanowet, who was a signer of the deed of 1638. But what possible ground can there be for so thinking? The names are not sufficiently alike to render it probable that Wheelwright confounded them by reason of their similarity. Neither was this the case of a sudden effort to recall a long past transaction. On the contrary, it was a formal, judicial act, where the memory was deliberately ransacked for facts to be attested under the solemnity of an oath. Wheelwright had lived for years in the vicinity of those Indian chiefs, and their names must have been too familiar to his ear to admit of mistake, especially under circumstances calling for the utmost accuracy.

But this is not the only instance in which the Wheelwright deed was heard of before 1707.

In 1676, Edward Randolph came over from England as agent for Robert Mason, the then claimant of the soil of New Hampshire, and promulgated among the inhabitants a letter addressed to them by the latter, in the character of proprietor. The people of Portsmouth held a public town meeting on the occasion, and protested against Mason's pretensions, declaring that they had in good faith purchased their lands from the Indians; and incorporated the declaration in a petition to the king.¹⁴⁸ Now, there is no pretence that there was ever any other purchase of the natives' right to the territory of Portsmouth than that of 1629, which was the foundation of the Wheelwright deed. The deeds of 1638 expressly exclude the Pascataqua patents, and cover no part of Portsmouth. The declaration of the inhabitants in 1676, then,

¹⁴⁸ Adams' Annals of Portsmouth, 59.

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then, that they had purchased their lands from the Indians, was a palpable recognition of the deed of 1629.

On the eleventh of June, 1680, after the separate government of New Hampshire had been constituted, and while the Mafonian claim loomed up heavily over the inhabitants, the General Court of the province adopted an address to the king, in which they besought his majesty's protection from injury by pretended claimers to their soil, "considering,"—to use their own language,—“the purchase of our lands from the heathen, the native proprietors thereof, and our long and quiet possession thereof.”¹⁴⁴ Again in 1684, in answer to Mafon's claim, the people urged the plea that “the present inhabitants (of this province), either by themselves or predecessors, purchased their possession from the natives, and by their permission did sit down upon the land.”¹⁴⁵ These were assertions made in behalf of the whole population, and respecting the soil of the entire province. The lands referred to were all embraced in Wheelwright's acquisition from the Indians in 1629, but not all in any other purchase. In respect to those portions of the lands, therefore, to which the rights of the aborigines could only have been obtained by the deed of 1629, the inhabitants must obviously have relied upon that instrument, in their allegation that those rights had been purchased. Here are two other instances, therefore, in which the Wheelwright deed was heard of, in effect though not by name, prior to its discovery in 1707.

It would appear also, from the letter of Cotton Mather to
George

¹⁴⁴ 1 N. H. Provincial Papers, 412.

¹⁴⁵ Ibid. 512.

George Vaughan, that the Wheelwright deed had been known and much talked of before it was found in 1707. His language is this: "There seems to have been as remarkable a display and instance of that Providence in the finding of this instrument just before the sitting of your last Court about this affair; and after it had been for very many years discoursed of among the good men who knew of such an instrument, but with regret concluded it lost and gone beyond all recovery."¹⁴⁶ It may be admitted that Mather was as credulous and faulty in judgment as he has been pronounced, but no person has ventured to assert that he was false. These allegations of his are matters of fact, affirmed upon his own veracity, and their entire truthfulness is above suspicion.

So far, then, is the statement that the Wheelwright deed was never heard of till 1707 from being true, that the wonder rather is, considering that it was not intended to be relied on after the substitutes of 1638 were taken, that so many unmistakable allusions to it are now to be detected.

The foregoing may be pronounced the most weighty arguments which have been produced against the validity of the Wheelwright deed. But there are others, more especially connected with the instrument itself, which, though of minor consequence, yet demand notice.

1. The length and formal character of the deed, unlike all other conveyances from the natives, when there was no lawyer in the country capable of framing such an instrument; the stipulations and provisos it contained, especially for the benefit

¹⁴⁶ 3 Belknap's Hist. N. H., Appx. No. 1.

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benefit of the Indians, who it is well known were improvident and careless of the future; the alleged mistakes of facts in regard to the apprehended irruptions of the Tarrateens, and as to the date of the settlement of the Massachusetts Bay,—these matters have been severally enlarged upon, as impugning the credibility of the paper.¹⁴⁷

But if Wheelwright came over in 1629 to obtain the sanction of the aborigines to his fixing a location for a projected colony, he would naturally have provided himself in advance with all the information, and every appliance, which could be foreseen to be needful. A general form for a release of land by the natives, to be filled up, perhaps, by Wheelwright on the spot, could be easily procured from a conveyancer at Alford.¹⁴⁸ It would have been all the more likely to be technical and prolix, from the ignorance there of precedents of the same character. The stipulations in the Indians' behalf were due to the impulses of Wheelwright's own just heart, scorning to take an unfair advantage of the simple savages. The dread of incursions of the Tarrateens, felt by their western neighbors, must have been familiar to every English inquirer respecting the Indians;¹⁴⁹ so that the insertion of it in the deed was perfectly natural, even if it was incorrect,—which, however, is by no means certain.

The position taken in opposition to the deed, that its
allusion

¹⁴⁷ 1 Savage's Winthrop, 493-7.

¹⁴⁸ Wheelwright himself was familiar with the phraseology of conveyancing, if, as seems probable, he drew his own last will. A reference to it, as given at the close of this volume, may lead the reader, as it did the writer, to wonder

whether the clergyman might not in early life have been articulated to an attorney.

¹⁴⁹ Levett's Voyage to New England, in 28 Mass. Hist. Soc. Collections, 175.

allusion to the colony of Massachusetts Bay is an anachronism because that colony had not yet been founded,¹⁵⁰ will hardly bear examination. The original Massachusetts grant from the council of Plymouth was issued more than a year before the date of the Wheelwright deed. By virtue of it, Endicott had come out and assumed the office of governor at Salem, bringing with him a party of a hundred colonists. The royal charter incorporating the "Governor and Company of the Massachusetts Bay" was a confirmation of that grant, with the addition of civil rights and political privileges; and the new Company was substantially a continuation of the old, Endicott holding the same position under its authority as before. At the outset, Salem was the plantation which the Company specially cared for; but when the royal charter was issued, all the settlements along the coast, from the Charles to the Merrimac, fell within their jurisdiction and charge.

Wheelwright would naturally have made a point of acquainting himself with all that was to be learned in England respecting the colonization of the section which he was intending to visit. The charter of the Massachusetts Bay Corporation passed the seals weeks before he need have sailed for America, and no extraordinary diligence was requisite to enable him to ascertain its general provisions. He could have known that the colony of Massachusetts then possessed one considerable settlement, and the nuclei of others, which were just about being reinforced with largely increased numbers and ample supplies.

It is said, however, that those settlements were then spoken

¹⁵⁰ This point was presented most fully by Dr. Bouton.

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spoken of here by their special names, as Naumkeag,¹⁵¹ &c. But Wheelwright, gaining his information in England, could hardly have been expected to follow the American fashion. The most he probably could have known of them was that they constituted the then colony of the Massachusetts Bay; and as such they are referred to, with entire propriety, in the deed of 1629. No serious discrepancy is to be found, therefore, in the mention of the colonists of the Massachusetts Bay in the deed; notwithstanding it was a year before the foundation of Boston.¹⁵²

But it is urged that in the Wheelwright deed the English grantees are described as of the Massachusetts Bay, when not one of them lived there, or had probably ever set his foot there.¹⁵³ At the worst, this is what the lawyers call a misdescription, not implying any intention to deceive or injure. Why, how, or by whom it was done, we have no means of knowledge, but we can see that it is a matter of no special consequence. If a blundering scribe had by mistake inserted it in the fair draft of the instrument, it probably would not have been considered important enough to correct, at the risk of defacing the writing. Could we learn the particulars of the transaction, it is not unreasonable to suppose that a very simple explanation might be found of the apparent inconsistency. I will suggest one which is not at all improbable.

The aborigines must have known that some adventurers
who

¹⁵¹ Dr. Bouton's argument.

¹⁵² The very title to Scottow's Narrative seems enough to settle this question; "Of the planting of the Massa-

chusetts Colony, *Anno* 1628."—34 *Mass. Hist. Soc. Collections*, 279.

¹⁵³ 1 Savage's Winthrop, 2d ed. 495.

who had visited their coasts, claiming to be Englishmen, had committed acts of injustice and cruelty. But they undoubtedly understood that the settlers of the Massachusetts Bay were friendly and just, and, consequently, exactly the sort of persons to whom they would be most disposed to part with the possession of their lands. If they had declined, by reason of this feeling, to deal with any English except those of the Massachusetts Bay, Wheelwright's endeavor would be to convince them that he and his fellow-colonists were men of like character with them. The simplest, perhaps the only feasible, way of doing so was to represent themselves as of the Massachusetts Bay. The idea which this would convey to the Indians was not so much that of locality, as of character, — that Wheelwright and those whom he represented were of the same blood, disposition, and purposes, as the Englishmen of Massachusetts; which was strictly true. And it would be doing no wrong to the natives, for all that they could have intended was to insure for themselves desirable neighbors.

While there are various supposable ways in which this wrong location of the grantees in the Wheelwright deed may be easily and consistently accounted for, shall we, in our ignorance, presume to brand it as a forgery, upon the ground that it is inexplicable?

2. Another point made against the authenticity of the Wheelwright deed is that Passaconaway, sagamore of the Penacooks, at the time when the deed purports to have been signed by him, was unfriendly to the English and opposed to their settlement in this country; so that he was unlikely

likely to have been a party to any grant to them for that purpose.¹⁵⁴ This exception is based upon a certain speech of the sagamore to his son, alleged to have been made at a formal gathering of their tribe in 1660.¹⁵⁵ For the account of it we are indebted solely to Hubbard, it is believed; one of the least trustworthy of our early historians. No evidence is to be found, outside his pages, that such a meeting of the Penacooks was held, or any speech uttered.

But if all question on this point were waived, and the language attributed to the chieftain admitted to have been spoken by him, does our acquaintance with the oratorical productions of the aborigines justify us in giving them such literal credence, as to venture to settle doubtful historical questions upon the faith of them? On the contrary, is it not proverbial that they are usually couched in extravagant, figurative expressions, and calculated for producing some special, immediate effect, without regard to accuracy of statement?

Certainly, if Passaconaway asserted that at the date of this deed he was an opposer of the English, he woefully misrepresented the truth. Christopher Levitt speaks of having met and dealt with him, under the name of Conway, in 1623, six years before that time; and he was then entirely friendly.¹⁵⁶ William Wood, who lived in this country from 1629 to 1633, mentions him as a noted necromancer, but without any intimation that he was hostile or unfriendly.¹⁵⁷

Thomas

¹⁵⁴ Dr. Bouton's argument.

¹⁵⁵ Hubbard's *Indian Wars* (ed. of 1801), 67.

¹⁵⁶ *Voyage to New England*, in 28 *Mss. Hist. Soc. Collections*, 173-4.

¹⁵⁷ *New England's Prospect*, ed. of the Prince Society, 92, 78.

Thomas Morton, who was here at sundry times between 1622 and 1630, alludes to him as a "witch," but also as a "man of the best note and estimation in all these parts."¹⁵⁸

The first mention of Passaconaway by Winthrop is under date of 1632, when he is credited with fetching back an Indian of another tribe, who had killed an Englishman in the wigwam of a Penacook. Surely, the capture and surrender of a red man, that justice might be done him by the whites, was the very reverse of unfriendliness.¹⁵⁹

It has been pointed out, as further proof of Passaconaway's jealousy of the English, that he did not come in and submit to the Massachusetts government till the year 1644.¹⁶⁰ But that cannot imply that he was unwilling to allow the English to settle on his territory; for it is upon record that two years previously, in 1642, Passaconaway consented to the sale by Passaquo and Saggahew of the site of Haverhill, to be occupied by the whites.¹⁶¹

It is possible that Passaconaway, who was very aged at the time of his reputed speech, may in early life have been opposed to the English, of whom some unfavorable specimens, no doubt, had appeared on these shores; but it is clear that at the time of the execution of the Wheelwright deed, and for some years before, he was on perfectly amicable terms with them.

3. It is attempted to be shown that various anachronisms exist in the memorandum of delivery of possession, subscribed by

¹⁵⁸ New English Canaan, Force's ed. 25, 28.

¹⁵⁹ 1 Savage's Winthrop, *89.

¹⁶⁰ Dr. Bouton's Argument.

¹⁶¹ Chafe's Hist. Haverhill, Mass. 46.

by seven English witnesses, in sundry official capacities, which is appended to the disputed deed.¹⁰²

The first three of the witnesses are Walter Neal, governor, George Vaughan, factor, and Ambrose Gibbons, trader, for the Company of Laconia.

With regard to Neal, it is contended that he was never in this country till he arrived here in the bark "Warwick," in 1630. For proof of this we are referred to the brief of the Governor and Company of the Massachusetts Bay, dated the sixth of September, 1676, in which the statement is made that Neal first came over in 1630.¹⁰³ But every lawyer knows that such a brief is no evidence of the matters it contains. It is a pleading; a statement of the party's case in the most favorable manner; and *to be* proved, if the requisite evidence can be had, — otherwise to go for nothing. It does not appear that any evidence of this allegation was produced.

If we examine the brief, we shall find it in at least one other instance entirely inaccurate in a matter of date. It contains the statement that the several settlements in New Hampshire voluntarily submitted to the jurisdiction of Massachusetts, in the year 1641. Now it is a matter of record that Exeter, one of those settlements, did not submit until 1643. And it may be added that even then it was with such manifest reluctance, that the term "voluntarily" could hardly be applied to it, except in irony.

Of Neal we have information that he was in London in February, 1628, distressed for the want of money due him
for

¹⁰² 1 Savage's Winthrop, 2d ed. 505, 508-9-10.

¹⁰³ 1 N. H. Provincial Papers, 332.

for military services.¹⁶⁴ That was the moment, surely, when he would be most ready to engage in foreign or any other service which promised him honorable support. There is believed to be nothing to show that he might not have come here in 1629, and returned again the same season. Nothing was more common than such annual voyages.

In regard to Gibbons and Vaughan, all that need be said is, that no one pretends to any definite knowledge when they first came to this country.

But it is urged that "the grant to the Laconia Company was not obtained till November, 1629," six months after the date of the Wheelwright deed; and therefore the description of those witnesses as officers of that company is a fatal incongruity.¹⁶⁵

To this it may be replied that there never was any grant to the Laconia *Company*, at all. There was a grant of territory under the name of Laconia, and there was a Laconia Company; but who can tell whether the company took its name from the grant, or the grant from the company? The argument assumes the former; of which there is no proof. The acceptance of a grant did not constitute its holders a company, bearing the same name. There was no Maconia Company; no Maine Company; no New Hampshire Company, though there were grants under those several designations. But if there had first been a Laconia Company, what would be more natural than that they should wish to bestow that name upon any patent which they might afterwards procure?

There

¹⁶⁴ MS. in possession of C. W. Tuttle, Esq.

¹⁶⁵ 1 Savage's Winthrop, 2d ed. 509. Enlarged upon by Dr. Bouton.

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There is evidence that the name of Laconia was at an early period commonly, if incorrectly, applied to New Hampshire and Maine,—the territory, in fact, which was included in the patent of Mason and Gorges, of 1622. True, the name of Maine was specified in the grant as intended to be given to the territory, but it never was in fact applied to it. Nor was it given to the portion of it lying east of the Piscataqua, until 1641. By what general name was that country known, in the interim? John Josselyn, the English traveller, who was here in 1638, and wrote several years later, says: "The province of Maine (or the country of the Traquoes), heretofore called Laconia or New Somersetshire, is a colony belonging to the grandson of F. Gorges."¹⁶⁶ There seems to be some confusion of places in the mind of the worthy voyager, but clearly he meant to assert that the tract which had been known as Laconia was also called New Somersetshire; and that it belonged, not to the region about the great lakes, but to the territory by the sea. So also in a paper now in the office of the Secretary of State in Massachusetts, entitled "A Short View of Mrs. Mason's case," her husband is said to have been "instated in fee, together with Sir F. Gorges and other associates, in severall other Lands, by the name of Laconia, lying near Piscataway and at Newichawannock."¹⁶⁷

Now if the country around the Piscataqua was known to the earlier settlers as Laconia, the persons having the control of it might well denominate themselves the Laconia

Company;

¹⁶⁶ Two Voyages to New England, in 23 Mass. Hist. Soc. Collections, 342.

¹⁶⁷ 3 Mass. Archives, 181, 2.

Company; and it is, at least, as likely that the name was acquired from that circumstance, as that it was derived from the grant of 1629.

But it is doing no violence to probability to suppose that the company may have been formed in anticipation of the grant, and of course anterior to it. In that case, if there had been any unexpected delay in procuring the patent in England, the company in America might have antedated it by months, simply for that reason.

But even if there were good cause to believe that the company received its appellation from the grant, and was formed subsequently to it, we are not at all certain that the grant may not have been originally made before November, 1629. On referring to the portion of the records of the Council of Plymouth which is still extant, it will be found that it was nothing uncommon for a patent once issued to be reissued at a subsequent time. Thus it appears that a patent was sealed to Gorges and Mason the fourth of November, 1631, and on the last of February, the succeeding year, two duplicate patents of the same premises were sealed to the same persons. And on the second of March, 1632, two patents were issued to Gorges and others, which were the same as others sealed to them on the prior second of December, with the exception of a partial change of grantees: "So that this patent," says the record, "is the last and true patent, and the other cancelled and made void."¹⁰⁸ There can be scarcely a doubt that in each of these cases the later grant bore date as of the day it was issued, so that the
patent

¹⁰⁸ Proceedings of American Antiquarian Society for April, 1867, 103, 105.

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patent thereafter known and referred to would be dated long after the land was in reality first granted. We can have no assurance, therefore, that the original patent of Laconia might not have been in existence before May, 1629. Unfortunately, there are no means of verifying the point, for the records of the Council of Plymouth from 1623 to 1631 are not now to be found.

From these considerations, however, it would seem that the mention of the Laconia Company as existing in May, 1629, does not necessarily involve an anachronism, as the opponents of the deed have supposed.¹⁶⁹

The next two witnesses to the delivery of possession of the lands under the Wheelwright deed are Richard Vines, governor, and Richard Bonighton, assistant, of the plantation of Saco. In relation to these it is objected, that Saco was not settled till some years after 1629, and that neither Vines was appointed governor, nor Bonighton assistant, thereof, until 1639.¹⁷⁰ But it is pretty well understood that Vines visited Saco as early as 1609, and again seven years after, "for the express object of exploring the country with a view to form a settlement;" and historians assure us that a plantation of a permanent character was begun there in 1623 or 1624.¹⁷¹ *Some* form of government must have been then

¹⁶⁹ I am aware that John S. Jenness, Esq., in the second edition of his picturesque History of the Isles of Shoals, issued since this paper was originally prepared, represents the Laconia Company as formed on the ruins of the Canada Company, and as commencing operations in 1630; p. 58. I understand, however, that the statement is founded upon probabilities, and not

upon positive evidence. The Laconia Company may still have been in existence, *de facto*, before the Laconia patent of November, 1629, was obtained, and long before it was even in contemplation to undertake extended operations.

¹⁷⁰ 1 Savage's Winthrop, 2d ed. 510.

¹⁷¹ Folsom's Hist. Saco, &c. 22. 1 Williamson's Hist. Maine, 206, 216, 227.

then adopted, and *some* officers appointed, whose duties would necessarily correspond with those of governor and assistant. No one can now say who and what those officers were: can any one say who and what they were *not*?

Folsom, in his History of Saco and Biddeford, alludes to the assault made upon the integrity of the Wheelwright deed, which impressed him, as it has many others who have not thoroughly investigated the subject, as unanswerable; but adds: "The evidence drawn from the attestation of Vines and Bonighton is, however, the least satisfactory. The inhabitants of the plantation of Saco were evidently subject to a local jurisdiction (similar to that established at Exeter) at least as early as 1630, and *perhaps* earlier, before a general government existed; and who so likely to be their governor and assistant as Vines and Bonighton?"¹⁷²

The deed can hardly be proved spurious by this evidence.

The remaining two witnesses of delivery of possession are Thomas Wiggin, agent, and Edward Hilton, steward of the Plantation at Hilton's point. It is asserted of Wiggin, as it has been of several others of the witnesses, on no better basis than want of knowledge, that he was probably not in this country in 1629.¹⁷³ But, as we have already observed, the lack of evidence, respecting the affairs of New Hampshire at this nebulous period, warrants no inference of value in settling a doubtful historical point. It is sheer presumption to offer in support of an indictment, testimony which only justifies us in writing "ignoramus" upon it.

With regard to Hilton, it is argued that he could not have

¹⁷² Folsom's Hist. Saco, &c. 320.

¹⁷³ 1 Savage's Winthrop, 2d ed. 510.

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have signed the deed, *officially*, until his patent was obtained for the plantation at Hilton's point; and this did not happen till the succeeding year.¹⁷⁴ But why? There was a plantation at Hilton's point long before May, 1629, and Edward Hilton was *in fact* one of the principal managers of it. Why should he not *style* himself "steward"—surely not a very presuming title—when he was to all intents and purposes *actually* such? Would a patent for the land give him any better right to do so? But it seems a waste of words to dilate on this exception.

It is further contended, that Hilton could never have attested a deed which "destroyed all his title to estate, in the enjoyment of which he had peacefully lived six or seven years:" and a somewhat similar objection is raised with regard to Neal and others who represented Mason and Gorges, the whole of whose rights between the Merrimac and the Pascataqua, it is urged, "must be defeated by this deed."¹⁷⁵

In order to estimate aright the weight of these suggestions, it is necessary to inquire first into the actual force and effect of deeds of lands from the Indians. These instruments have been commonly spoken of as "conveyances," and would naturally be regarded by persons who had given no special examination to the matter, as capable of passing the title to lands, like deeds among ourselves. But this is a very erroneous idea.

The law upon the subject appears to have been well settled and understood from the earliest period in the history of

¹⁷⁴ Dr. Bouton's argument.

¹⁷⁵ 1 Savage's Winthrop, 2d ed. 510, 496.

of English emigration to this country. The General Court of Massachusetts laid it down in 1638, in a case arising under one of the deeds to Wheelwright, as follows: The Indians have only a natural right to the lands which they do or can improve, and the rest of the country is open to any who can or will improve it. Consequently, the Court insisted that a deed of the Indians, purporting to convey lands which they had not improved, constituted no title whatever against a prior occupation by white settlers.¹⁷⁶

In Dane's Abridgment, a work of the highest authority, the law as it has always existed, in regard to this matter, is fully stated. It may be summarized thus: No statute has ever recognized the capacity of an Indian, in his native condition, to own or be seized of wild or uncultivated lands, or to have a right of soil and fee therein. Between the case of an Indian and of a citizen, therefore, there is this material distinction, that while the latter by a deed with the proper formalities may convey such lands, the former cannot; his deed thereof passing in law no title whatever.¹⁷⁷

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¹⁷⁶ 1 Savage's Winthrop, *290.

¹⁷⁷ 4 Dane's Abridgment of American Law, 68-9. As the work may not be readily accessible to all historical students, I subjoin the author's language: "§ 16. A law was passed in 1633 that seemed to recognize that an Indian in his native condition may be the owner of, and be seized of, the lands he possesses and improves, by his subduing them; but no colony, province, or commonwealth statutes have ever recognized that he can be the owner, or be seized, of wild and uncultivated lands. § 17. There is a material distinction between an Indian deed of wild land

and a citizen's deed of such land, founded in their different rights to such property. Our statute law has ever provided that a deed duly executed, acknowledged, and recorded, shall be sufficient to convey the lands contained in it, without any other act or ceremony in the law. This statute law only applies to a citizen having right and power to convey; that is, as our law has been invariably construed, having seizin of the lands, but never to an Indian, as to wild lands; for though by our law, as it has stood since 1633, he may have had right to lands he has subdued, as above, and seizin of them, yet

The Rev. John Bulkley, of Connecticut, composed, in 1724, an essay upon the aborigines' rights to the lands in America, and the titles derived from them. His conclusions are in substance the same: That the natives had a good claim only to such lands as they subdued or improved, and that the English, with the royal allowance, had undoubted right to enter upon and appropriate all of the country which was unimproved by the aborigines; and this without making them any compensation or return therefor.¹⁷⁸

An Indian deed, therefore, transferred a legal title to only so much of the soil as the grantors actually improved, and was of no validity so far as it assumed to grant wild or uncultivated lands. When it is remembered, that the aborigines reduced no part of this continent to cultivation, except a few trifling patches for raising corn and beans, the remark of Andros, that he regarded an Indian deed no more than the scratch of a bear's paw, is seen to have more foundation than has generally been attributed to it.

The release of the natives to the lands we occupy, was obtained, not so much as an assurance of title, as an assurance

yet he has never been considered as having seizin of wild lands; and there is no case to be found in which a correct lawyer has ever in a writ declared on an Indian's seizin of such lands. . . . Hence an Indian deed never has had power to convey wild lands for want of that kind of seizin our law views as essential to give a power to convey. A citizen by our law may have the right of soil and fee in wild lands; an Indian in his native state cannot: and so has the law of England, of America, and of Christendom viewed

his case from the first discovery of America; his deed has been viewed only as extinguishing his claim, and as giving *quoad* him to the grantee, a right of peaceable entry, and not as passing the soil and fee. . . . Every Englishman who came to America viewed his English patent as giving him the legal title to the land; and he settled with the Indians as of convenience, of equity or humanity, and not as a matter of law, essential to his title."

¹⁷⁸ 4 Mass. Hist. Soc. Collections, 179, 180.

ance of their good will and friendship. This is the aspect in which that eminent jurist, the late Chief Justice Smith, of New Hampshire, regarded Wheelwright's purchases. While there was no pretence that any legal title to the soil was acquired by them, they constituted, in his judgment, simply a sufficient license to settle and occupy.¹⁷⁹ And in the same light must Wheelwright have regarded his dealings with the sagamores. He never took the trouble to register either of his deeds, nor did he ever make any conveyance of land founded upon them. Not only this, but he afterwards purchased from another person, and paid for, a part of the same land.¹⁸⁰ If he had considered that the fee or title to the soil became vested in himself by the Indians' deeds, a man of his acknowledged prudence and business capacity would have conducted, in these respects, very differently.

Such being alike the law and the popular understanding, from the earliest period of our history, the notion that an Indian deed might operate to invalidate a grant emanating from the Crown, whether issued before or after it, could never have entered any man's imagination. Edward Hilton, who had improved his lands for years, and was about to take out a patent for them from the Council of Plymouth, would have laughed to scorn any one who had suggested that the sagamores' deed to Wheelwright could put his title in jeopardy. And the representatives of Mason and Gorges would have had even less cause for apprehension,—if that could be,—for their principals' claims were already fortified by occupation and patent.

But,

¹⁷⁹ 6 N. H. Hist. Soc. Collections, 172-3.

¹⁸⁰ Deed of Henry Ambros to Wheel-

wright, of land in Hampton, 1647 ; on the Records of old Norfolk County, at Salem.

But, on the other hand, we can discern, in the true operation of the Indians' grants, sufficient reasons for Hilton and others interested in New Hampshire desiring that their lands should be included in the Wheelwright purchase. As yet, they had no covenant that assured them of the natives' amity and consent to their settlement here. By the early settlers it was deemed highly important to procure such an assurance. The Wheelwright deed gave it to them. The benefits of peaceful and unmolested residence upon the soil were expressly extended to all the English settlers upon the territory which it included.¹⁸¹

This view of the effect of Indian deeds shows the little importance that is to be attached to the exceptions in regard to the immense "domain" which the "liberal Sagamores" sold to Wheelwright, and to the improbability that he would buy and pay for the land "twice over." The natives were as ready, probably, to quit their claim to millions of acres as to thousands; and would expect no greater consideration for the one than for the other. The price paid for the grants of 1638, Wheelwright, in his deposition in 1663, states to have been ten or twelve pounds; certainly not an extravagant sum to throw away even on "a second purchase," when we consider the strong inducements which then existed against founding his settlement under the first. The deeds of 1638 covered far the greater proportion of the territory embraced in that of 1629; and, unless the price of real estate had declined between those dates, the "kettles, victuals, and clothing," which made up the consideration of the

¹⁸¹ See the provisions of the deed, *infra*.

the earlier deed, could not have been so numerous and bulky, as to make it necessary for us to inquire "how they could have been conveyed to the falls of the Squamscot."

We have now examined all the arguments deemed worthy of serious notice, which have been advanced to prove that the Wheelwright deed was not genuine. It would, perhaps, be unnecessary to go farther. The burden of proof being upon those who seek to impeach the instrument, and they being bound to make out their case beyond reasonable question, it certainly seems that they have failed in the attempt. But there are other considerations tending strongly to rebut the idea that the Wheelwright deed was a forgery, which it may contribute to a full understanding of the subject to mention.

1. The form and style of the paper itself constitute a powerful defence against the charge. If the deed was of modern manufacture, it was the work of no "prentice hand." The fabricators of an instrument capable of successfully passing the ordeal of a judicial investigation on two continents, and of imposing upon historians and the public for a century, must have possessed remarkable skill, knowledge, and foresight. In framing a document which they knew was to be subjected to the severest scrutiny, what would have been the probable and natural course of such forgers? Being, of course, aware that Indian deeds were generally simple and brief, and attested by few witnesses, and that every variation from the usual form, every unnecessary statement, every needless name, would enormously increase the chances of detection, — they would obviously have labored to construct their fictitious instrument in strict conformity to

to custom, with the fewest words, the least amount of details, and the smallest number of names, consistent with the object to be secured by it. But the Wheelwright deed is the absolute reverse of this. It is exceptionally long and formal, it includes unusual provisions, it abounds in statements of fact, and it contains the signatures of no less than nine English witnesses, with official titles appended to seven of them; and all this without the instrument being a whit the more useful to the party who produced it, for any or all of these extraordinary features. And, last, but not least, it bears date on a day of the month which the almanac shows to have fallen on Sunday; just one of the blunders which an adroit rogue would have taken special pains to avoid. In short, if the Wheelwright deed was forged, we must assume that the contrivers of it uselessly, knowingly, and intentionally loaded it with clues of every kind, by which its falsity was liable and likely to be discovered. In this point of view, the greater part of the intrinsic objections which have been levelled at the genuineness of the paper may be urged with much greater force to refute, than to sustain, the imputation of forgery.

2. The well-known character of the party, by whom the deed was put in evidence, forbids the hypothesis that it was fictitious.

Richard Waldron, the defendant in the action of *Allen v. Waldron*, was a merchant, of ample fortune, whose later residence was in Portsmouth. His intelligence, capacity, and integrity early introduced him into public life, and for long periods he held the several positions of Councillor, Judge of Probate, and Chief Justice of the Court of Common

mon Pleas. At the time of the trial, he was fifty-seven years of age, in the maturity of his powers, and of a character firmly established. Adams, in his *Annals of Portsmouth*, refers to him in this language: "Amidst these worldly honors and riches, he did not neglect the more important concerns of religion. He was circumspect in his Christian conduct, and endeavored to walk agreeable to the precepts of the gospel." If an established character for integrity and virtue will not effectually shield its possessor from the imputation of felony, after he has lain in his grave for five generations, then no man's name is secure from calumny.¹⁸² But in the present case, no one has yet had the hardihood to charge this exemplary magistrate with participation in the crime of forgery. The sceptics have not ventured to point out any individual as the offender.

Of course it is equally impossible that a gentleman of Judge Waldron's character could have availed himself of the deed, if he had known or had reason to believe it was a forgery. But if it had been forged, he could not but have known it. He was born in Dover, in 1650, only twenty-one
years

¹⁸² Since this paper was originally prepared, Dr. Bouton has obligingly furnished me with advance slips from the forthcoming ninth volume of *N. H. Provincial Papers*, containing the petition of Elifha Clark and four others, dated April 4, 1729, and addressed to Governor Burnet, in which they allege that they being seized, in common with Judge Richard Waldron, of certain lands, he, on a petition for partition, through the aid of a second jury, "by management under the colour of Law & practice, but not warranted by either," procured the share thereof to be set off

to himself in severalty, which they believed should justly have been assigned to them. I cannot learn, however, that the allegations were ever substantiated by evidence, or that Judge Waldron was even put to a hearing in the matter. If the complaints of disappointed suitors, wholly unsupported by proofs, were allowed to weigh against the characters of men, otherwise irreproachable, this world would be an uncomfortable abiding place for persons compelled to go to law, when they had right and justice on their side.

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years after the date of the instrument, and lived nearly all his life upon the Pascataqua. He was the son of Major Richard Waldron, many years a prominent official, and once President of New Hampshire; who had come to this country "to see how the land lay," three years before Wheelwright settled at Exeter, and made his permanent home in Dover, two years after that event. Major Waldron was a large landholder in the province, and must have known the state of the title to it, and have heard every rumor affecting it. In 1683, a suit was brought against him by Robert Mason, to recover possession of his lands; and then he must have had pressing occasion to review all that he knew or had heard respecting their original acquisition. At that time, Judge Waldron, his eldest son, was thirty-three years of age, and, as heir presumptive to his father, could not have failed to be apprised of all that the latter's memory could furnish, touching the title to the soil of the province.

It can hardly be doubted that Judge Waldron was informed of the Wheelwright purchase of 1638, and of that of 1629 also, if there was such an one. If he had never heard of the latter until 1707, and then a deed was produced bringing it for the first time to his notice, he would naturally have been suspicious of the paper, and have subjected it to the most careful examination. It was easy for him to do this, thoroughly and satisfactorily. The records of Maine, New Hampshire, and Massachusetts must then have contained, in a small compass, the means of verification of many of the dates and most of the signatures. It is impossible that a person of the acuteness, experience, and acquaintance with the subject, which Judge Waldron possessed,

fessed, could have given an hour's investigation to the deed, without satisfying himself that it was spurious, if such were the fact.

It is not credible, therefore, that Waldron could have used this paper in evidence, either through ignorance or design, unless it was in truth what it purported to be,—the *bonâ fide* covenant of the Indian sagamores with John Wheelwright.

3. There is another, seemingly unanswerable, reason to disbelieve that the Wheelwright deed was fabricated to be used in the New Hampshire land-controversy. There was no occasion for the deed, and no motive to forge it; and such a crime is inconceivable without a motive.

In the first place, the deed added no real strength to Waldron's title. It has been commonly assumed that its effect, if genuine, was to convey to Wheelwright and the other grantees the fee and right of soil in the lands; and that, being dated earlier than Mason's grant from the Council of Plymouth, of November, 1629, it constituted the older and paramount title. This implies that a prior deed from the aborigines would prevail against a subsequent grant under the royal sanction. How utterly without foundation this assumption is, appears from the legal authorities that have already been cited. The Wheelwright deed never was used with such a purpose, and no well-informed lawyer would have stultified himself by setting up a claim of that nature. In the pleading in *Allen v. Waldron*, wherein it is first mentioned, the priority of its date is not adverted to, and there is no hint that it was set up in opposition to Mason's patent of 1629.¹⁸³

The

¹⁸³ 2 N. H. Provincial Papers, 526.

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The great defence which Waldron interposed to Allen's claim was the statute of limitations; and it seems to have been a perfect bar. He alleged that Allen, and those under whom he claimed, had not been seized of the demanded premises within twenty years, nor entitled within sixty years. The former allegation was all that was needed to bar the action, which was ejectment; and the evidence fully sustained it.

The pleading, however, was informal, and contained much irrelevant matter. Certainly, the Wheelwright purchase was no essential part of it. It was referred to, not as conveying a title, but as the explanation or foundation of Waldron's *possession*; and at best can be considered as conferring what the lawyers call *color* of title, which is really no title at all, but serves to define the nature and extent of the tenant's occupation. And in that case the priority of date made no difference; an Indian deed made after Mason's grant would have been as good as one made before it. This subject is too technical to be pursued in detail; but it is confidently submitted to gentlemen of the legal profession, that Waldron's case could not have been strengthened in any important degree, by the introduction of the Wheelwright deed. And this must have been perfectly well understood by Charles Story, at least, of Judge Waldron's counsel, who was an able lawyer, educated for his profession in England.

But while it is safe to say that no man would incur the hazard of forging the Wheelwright deed for the questionable, slight benefit it could render to the New Hampshire landholders, it by no means follows that the deed, if genuine, would

would not be put in evidence. It carried a moral weight, and gave an air of good faith to the settlers' claims, which no suitor would throw away; but which would never have suggested the fabrication of the evidence, nor have compensated for the risks of forgery.

But this is not the only ground on which it may be said that the forgery of the Wheelwright deed was improbable because it was unnecessary. When the controversy for the possession of the soil of New Hampshire began, in 1683, there might indeed have been some inducement for the inhabitants to resort to extraordinary means, to retain their homesteads. Robert Mason, the claimant, had at that time sufficient influence to secure the appointment of subservient judges, and the selection of jurors deaf to every consideration but those of his own interest. But in 1707, when the case of *Allen v. Waldron* was pending, all this was changed. Neither court nor jury were then creatures of the holder of the patent, but might rather be said—the jurors at least—to be strongly biased against him. Belknap says that “Allen had as little prospect of success in the newly established courts, as the people had when Mason’s suits were carried on under Cranfield’s government.”¹⁸⁴ And the action of the jury on the trial of *Allen v. Waldron* in the Inferior Court, in April, 1707, fully bears out the statement. The Wheelwright deed was not then in evidence, probably not yet having been discovered; but still the jury, on the other evidence in the case, not only returned their verdict for the defendant, but did so in the very

¹⁸⁴ 1 Belknap’s Hist. N. H. 308.

very teeth of the order of the Queen in Council that their finding should be special. They were sent out a second time, with renewed instructions to obey the Queen's behest, but again returned into Court with a general verdict for the defendant: and they resolutely refused to act otherwise.¹⁸⁵ It was conduct worthy of men who highly prized, and were resolved to maintain, their constitutional rights; for the order to find specially had no warrant in the law of the land, and was an act of usurpation.

With Courts thus constituted, and jurors of such stern stuff, Judge Waldron could have had no possible apprehension that his cause—which was the cause of the people—was in the slightest hazard, in the Superior Court, with the defences, at law and on the facts, which he already possessed. It could never have occurred to him, or to any other landholder in like situation, that their cause needed to be strengthened by any further proofs; and, least of all, by the fraudulent concoction of a document that at the best could afford no vital aid, and, if discovered, was certain to overwhelm its producers and their cause with irretrievable ruin.

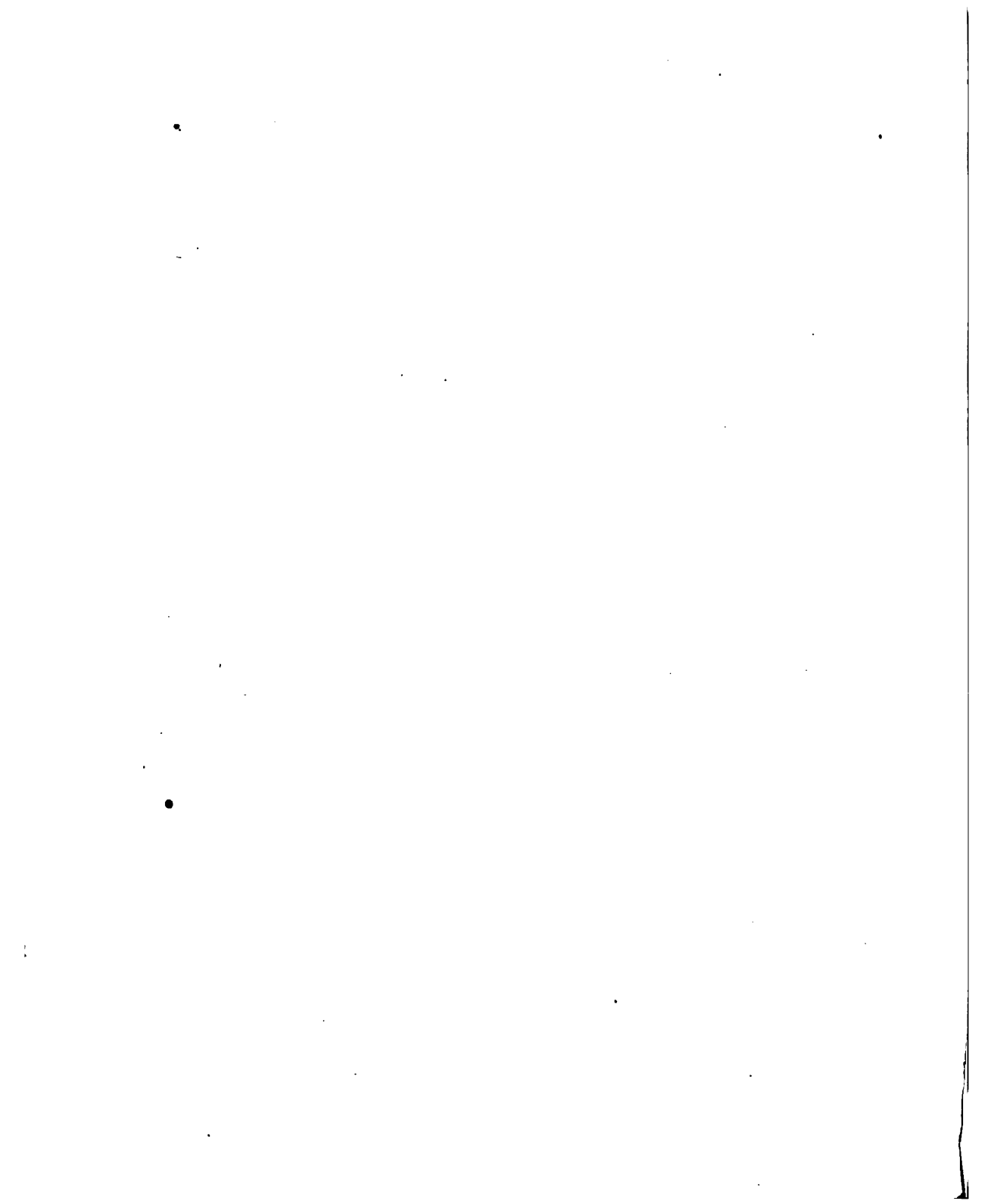
A candid examination of the whole matter under consideration seems to me to demonstrate, that the arguments and evidence which have been advanced to discredit the Wheelwright deed are insufficient for the purpose; but that, on the other hand, the presumptions in its favor arising from its historical claims, and the facts which point to its genuineness, as well as those which militate against the theory of forgery, are of paramount weight, and ought to prevail.

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¹⁸⁵ 2 N. H. Provincial Papers, 520-1.

The accusation of forgery, as the case stands, should in my judgment be pronounced, in the language of the Scottish law, "not proven." But for one, I hold myself at liberty to follow where the evidence may lead. Time will surely add to our means of knowledge, as it has already shed much light on the question since it was first mooted. Perhaps the disputed document itself may be exhumed from some forgotten depository, and put an end to speculation. In the present imperfect state of our knowledge it is ridiculous to dogmatize upon the subject. Holding the mind open to receive new facts, and the judgment free to weigh them without prejudice, is the only sure method to enable us to avoid perplexing dilemmas, and to discover the road at last to truth.







THE WHEELWRIGHT DEED.

WHEREAS wee the Sagamores of Penacook, Pentucket, Squamsquot & Nuchawanick, are Inclined to have y^e English Inhabitt amongst us, as they are amongst our Countrymen in the Massachucets bay, by w^{ch} means wee hope in time to be strenghtned against our Enemyes the Taratens, who yearly doth us Damage; Likewise being Perswaided y^t itt will bee for the good of us and our Posterety, &c^t. To that end have att a generall meeting (att Squamsquot on Piscataqua River,) wee the afore^s^d Sagamores wth a universall Consent of our subjects, doe Covenant and agree wth the English as followeth: Now Know all men by these Presents that wee Passaconaway, Sagamore of Penacook, Runawitt, Sagamore of Pentucket, wahangnonawitt, Sagamore of Squamscott, and Rowls, Sagamore of Newchawanick, for a Compitent Valluation in goods allready Received in Coats, Shurts & victualls, and alsoe for y^e Considerations afore^s^d doe, (according to y^e Limits and bounds hereafter granted,) give, grant, bargaine, sell, Release, Rattasie and Confirme, unto John Whelewright of y^e Massachucets

chucets baye Late of England, A minifter of y^e Gofpel, Auguftin Story, Thom^s Wite W^m Wentworth and Thom^s Levitt, all of y^e Maffachucetts baye in New-England, to them their heires and Affignes forever, all that part of y^e maine Land bounded by the River of Piscataqua and the River of Merrimack, that is to fay, to begin att Newchewanack ffalls in Piscataqua River afore^d, and foe Downe f^d River to the fea, and foe alongft the fea fhore to merrimack River, and foe up along f^d River to the falls att Pentucett afore^d, and from f^d Pentucet ffalls upon a Northwest Line twenty Englifh miles into the woods, and from thence to Run upon a Streight Line North Eaft & South Weft till meete wth the maine Rivers that Runs down to Pentucket falls & Newchewanack ffalls, and y^e f^d Rivers to be the bounds of the f^d Lands from the thwart Line or head Line to y^e afore^d ffalls, and y^e maine Channell of each River from Pentucket & Newchewanack ffalls to the maine fea to bee the fide bounds, and the maine Sea betweene Piscataqua River And Merrimack River to be the Lower bounds, and the thwart or head Line that runs from River to river to be y^e uper bound; Togeather wth all Ilands wthin f^d bounds, & alfoe the Iles of Sholes foe Called by the Englifh, togeather wth all Proffitts, Advantages and Appurtenances whatfoever to the f^d tract of Land belonging or in any wayes appertaineing; Referveing to our Selves, Liberty of makeing ufe of our old Planting Land, as alfoe ffree Liberty of Hunting, ffifhing and fowling; and itt is Likewife wth thefe Provifeos ffollowing viz^t

First, that y^e f^d John Wheelwright fhall wthin ten years after the date hereof fett Down wth a Company of Englifh
and

and begin a Plantation att Squamscot ffalls In Piscataqua River afore^d.

Secondly, that what other Inhabitants shall Come & Live on f^d Tract of Land Amongst them from Time to Time and att all times, shall have and Enjoye the same benefitts as the f^d Whelewright afore^d.

Thirdly, that If att any time there be a numb^r of People amongst them that have a mind to begin a new Plantation, that they be Encouraged soe to doe, and that noe Plantation Exceede in Lands above ten English miles Squaire, or such a Proportion as amounts to ten miles Squaire.

Fourthly, that y^e afore^d granted Lands are to be Divided into Townshippes as People Increase and appeare to Inhabitt them, and that noe Lands shall be granted to any p^ticular p^{son} but what shall be for a Township, and what Lands wthin a Township is granted to any Peticuler Persons to be by vote of y^e major part of y^e Enhabitants Legally and ord^{ly} settled in f^d Township.

Fifthly, for manageing and Regulateing and to avoide Contentions amongst them, they are to be under the Government of the Collony of the Massachucetts, (their neighbours,) and to observe their Laws and ord^m untill they have a settled Government Amongst themselves.

Sixthly, wee the afore^d Sagamores and our Subjects are to have free Liberty (wthin the afore^d granted tract of Land) of ffishing, fowling, hunting & Planting &c.











Sevently and Lastly every Township wthin the aforesaid Limits or tract of Land that hereafter shall be settled, shall Paye to Passaconaway our Cheife Sagamore that now is, & to his succeffors for ever, If Lawfully Demanded, one Coate

of Trucking Cloath a year & every yeare for an Acknowledgement, and alsoe shall Paye to m^r John Whelewright afore^d, his heires and succeffors forever, If Lawfully Demanded, two bushills of Indian Corne a yeare for and in Consideration of said Whelewrights great Paines & Care, as alsoe for y^e Charges he have been att to obtain this our grant for himselfe and those afore mentioned, and the Inhabitants that shall hereafter settle In Townships on y^e aforesaid granted Premises; And wee the afore^d Sagamores, Passaconaway, Sagamore of Penecook, Runawitt, Sagamore of Pentucet, Wahangnonawitt, Sagamore of Squaamscott, and Rowls, Sagamore of Newchewanack, doe by these Presents Rattafie and Cōfirme all y^e afore granted and bargained Premises and Tract of Land afore^d, (excepting & Reserveing as afore Excepted & Reserved & the Provisoes afore^d fullfilled,) wth all the Meadow and Marsh grounds therein, Togeather wth all the mines, Mineralls of What Kind or Nature soever, with all the Woods, Timber and Timber Trees, Ponds, Rivers, Lakes, runs of Water or Water Courfes thereunto belonging, with all the ffreedome of ffishinge, ffowlinge and Hunting, as our selves with all other benefitts, Proffitts, Priviledges and Appurtenances Whatsoever thereunto, of all and any Part of the said Tract off Land belonging or in any wayes Appertaineinge, unto him the said John Whelewright, Augustin Storer, Thomas Wite, William Wentworth & Thomas Levitt and their heires forever as afore^d. To have and to hold y^e same As their owne Proper Right and Interest, without the Least Disturbance, mollestation or Troble of us, our heires, Execcutory and Adminiftrators, to and with the said John Whelewright,
Augustin

Augustin Storer, Thomas Wite, William Wentworth and Thomas Levitt, their heires, Execcutors, Adminiftrators and assignes and other the English that shall Inhabitt there And theire heires and assignes forever, shall Warrant Maintaine and Defend. In Wittnes whereof wee have Hereunto sett our hands and feales the Sevententh day of May 1629, And in the fffth yeare of King Charles his Reigne over England &c^t.

Signed, Sealed & Delivered

In Presents off us :

WADARGASCOM		mark	PASSACONAWAY		mark	
MISTONOBITE		mark	RUNAWIT		mark	
			WAHANGNONAWIT		mark	
JOHN OLDHAM, SAM ^{LL} SHARPE,			ROWLS		mark	

Memorand^m: on y^e Sevententh day of maye one thousand six hundred twenty & nine, In the fffth year of the Reigne of our Sovereigne Lord Charles King of England, Scotland, ffrance & Ireland, Defend^r of y^e ffaith &c^t Wahangnonawit, Sagamore of Squamscot in Piscataqua River, did in behalfe of himselfe and the other Sagamores aforementioned then Present, Deliv^r Quiett & Peaceable Possession of all y^e Lands mentioned in the wthin written Deed, unto the wthin named John Whelewright for the ends wthin mentioned, in Presents of us Walter Nele, Governer,

ner, Geo. Vaughan, ffacktor, and ambros Gibins, Trader,
for y^e Company of Laconia; Rich^d Vines, Governer, and
Rich^d bonithan, Affistant of y^e Plantation of Sawco; Thom^s
Wiggin, agent, and Edward hilton, Steward of the Plant-
ation of Hiltons Point, and was signed sealed & Delivered
In our Presents.

In Wittnefs whereof wee have hereunto sett our hands
the day & yeare above Written.

RICH^D VINES, WALTER NEALE,
RICH^D BONITHON, GEO. VAUGHAN,
THOM^S WIGGIN, AMBROSE GIBBINS.
EDWARD HILT^ON,

Entered and Recorded According to the originall the
20th may 1714.

Pr. W^M VAUGHAN, Record^r

(From the Rockingham Registry.)





BIBLIOGRAPHY.



THE Wheelwright Indian deed of 1629 has been printed, with various approximations towards correctness, in 1 Belknap's History of New Hampshire, Appendix, No. 1, in 1 Hazard's Historical Collections, 271, and in 1 New Hampshire Provincial Papers, 56. In none of those works are the peculiar marks or totems of the subscribing sagamores properly represented. The only publication in which they have been correctly given is Potter's History of Manchester, N.H., 56, where the deed was alluded to, but not inserted at length. The copy of the deed which is included in the present volume has been carefully compared with that in the registry of deeds of Rockingham County, N.H., and is believed to conform to it in all particulars.

The Indian deeds of 1638 first appeared in print (in a permanent form at least) in 1 New Hampshire Historical Society's Collections, 147, from which they were transcribed without alteration (except the omission of the totems) into 1 New Hampshire Provincial Papers, 134-5. Those copies contain some inaccuracies, the most serious of which are pointed

pointed out in note 47, in this volume. A very just idea of the originals can be formed from the *fac-similes* herewith given.

Of Wheelwright's Fast-day Sermon, of 1637, two copies exist in manuscript. One, which lacks the earlier pages, is in the possession of the Massachusetts Historical Society; the other, which is complete, is in the office of the Secretary of State of Massachusetts. From the former a transcript (the missing portion being supplied from the latter) has been printed, in its antique form, in the Proceedings of the Massachusetts Historical Society for 1866-7, and in the Historical Magazine for April, 1867; and in modern orthography in the Boston Panoplist for July and August of the same year.

No complete transcript from the copy in the Secretary's office has hitherto been printed.

The two copies, though in substance alike, yet present an infinite number of trifling differences. It is not known that one has any greater claims to authority than the other. Neither is in the handwriting of Wheelwright, but both possess every intrinsic mark of having been made at or near the time when the original was delivered. The one in the Secretary's office appears to have been the work of a person better educated, and certainly more accustomed to the pen, than was the scribe of the Society's copy. As well on account of the superior character of the manuscript, as in order that both copies should be accessible in printed form, that in the Secretary's office has been followed here; the few evident clerical omissions being supplied from the printed copy of the Historical Society's manuscript.

Of

Of *Mercurius Americanus* only a single edition was published. It is reproduced in this volume with remarkable fidelity. Respecting its authorship, it is surprising that there should have been any question. The Rev. Dr. George E. Ellis, when he prepared the Life of Anne Hutchinson for Sparks's *American Biography*, doubted, however, if it were the production of the Rev. John Wheelwright; and both Mr. Savage, in his *Genealogical Dictionary*, and Mr. Felt, in his *Ecclesiastical History*, attribute the work to a supposititious son of Wheelwright. Perhaps the difficulty was caused by the circumstance that upon the title of *Mercurius Americanus* the name of the writer appears as John Wheelwright, *junior*. But to the dedication are subscribed the initials, and to the introduction the full name, of John Wheelwright, without the postfix. The word "junior" may have been added upon the title-page by mistake, or because there was an older person in England bearing the same name. But the intrinsic evidence, that the American John Wheelwright composed the work, seems irresistible. The learning and the logic, the personal feeling and the knowledge of actors and events, all indicate his handiwork, and could have emanated from no other individual.

Wheelwright's last Will is not known to have been before published, but is thought to possess sufficient interest to warrant its introduction here. Some notes would have perhaps been added, in relation to the testator's immediate descendants, had the editor not been early apprised that a history of the Wheelwright family was in preparation, with which he had no disposition to interfere.



A
S E R M O N

PREACHED AT BOSTON IN NEW ENGLAND VPON A FAST DAY
THE XVITH OF JANUARY 1636,

BY M^R JOHN WHEELEWRIGHT.

MATH: the 9. 15.

AND J^{ESUS} said vnto them, can the Children of the bridechamber mourne, as long as the Bridegroom is wth them? but the dayes will come, when the Bridegroom shall be taken from them & then they shall fast.



OUR blessed Lord & Sauio^r J^{ESUS} Ch^{RI}st, though he was the most innocent that euer was, so that they w^{ch} hated him, hated him wthout a cause, yet notwthstanding the wicked world, they were euer taking exceptions, both against his sayings & doings.

In the beginning of this chapter, they brought vnto him a man sicke of the palsey, lying vpon a bedd, J^{ESUS} seeing their faith, said vnto him, sonne be of good cheare, thy synnes be forgiuen thee, the Scribes say wthin themselues that he blasphemeth, Ch^{RI}st perceiuing their thoughts, answered for himselfe, & telleth them, he cold as easily
forgiue

forgiue synnes, as restore this man to health; Christ goeth from thence & goeth to the receipt of custome, & calleth Mathew the Publican, & he receaueth him into his house & maketh a feast, Christ sitteth downe wth Publicans & synners, the Pharisees take exceptions, & tell his Disciples, that their Master eateth wth Publicans & synners, & Christ hearing of it, answereth for himselfe & telleth them, they were fit subiects to worke vpon, he iustifieth the vngodly. those that are iustified by Christ must not looke to be faued by sacrifice, but by the mercy of Christ. A little after the Disciples of John were instigated by the Scribes & Pharisees Mar: 2. 18, and they put this question vnto him, Why they & the Pharisees fast often? and the Disciples of Christ fast not? And Christ answered in my text. And thus you see the coherence & dependance of these words.

The text consisteth of two argum^{ts}, whereby Christ did prooue & shew, that it was not for his Disciples to fast. The first is taken from the remoouall of any iust cause of fasting w^{ch} they had for the p^{re}sent. The second argum^t is taken from a position or putting a iust cause of fast they shold haue hereafter, and that was the remooving Christ from them.

I will not stand to shew the difference of fasts, w^{ch} are either constraigned, ciuill, miraculous, dayly or religious: but the fast here spoken of in my text, is of the last sort, and mourning is added in my text, because fasting & mourning go together. Joel: 2. and where it is here said, the children of the bridechamber cannot fast, it is to be vnderstood an impossibility of seasonableness, they cannot do it seasonably.

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The text containeth in it two poynts, but I wrap all vp in one poynt of Doctrīne, and that is this. That the only cause of the fasting of true beleeuers is the absence of Christ.

Either Christ he is p^resent wth his people, or els absent from his people; if he be p^resent wth his people, then they haue no cause to fast: therefore it must be his absence that is the true cause of fasting, when he is taken away then they must fast; If we take a view of all the fasts, that haue beene kept either in the old or new-Testament, we shall find the fasts that haue beene kept by true beleeuers, haue had this for the ground of them, the absence of the Lord. what was the reason why the people of Israell kept a fast, Judges the 20. & 1 Sam: 7 and Jehosephat & all Juda 2 Cron: 20 and the people of Israell after they came out of captivity, Nehemiah 9 And the church of Antioch, Acts 13. and Paul & Barnabas, Acts. 14. was it not because they wanted the Lord to protect, defend, pardon, & assist? where there is men^{ti}on made of fasting in the Scripture, you shall likewise find men^{ti}on made of turning vnto the Lord, and the Prophet Joel when he speaketh of a fast, he biddeth them turne to the Lord: whereby it is evident, that the reason why Gods people do fast, is because there is a distance betweene them & the Lord.

Reas: 1. The first reason is, when Iesus Christ is abundantly p^resent he doth make a supply of whatsoever the children of God can procure in this extraordinary way of fasting: Wee know that vnder the captivity the people of God they fasted

fasted exceedingly, they kept a fast in the fourth moneth .5. 7. 10. and now the Lord p̄miseth a restauration of Ierusalem, that is especially accomplished in the kingdome of Christ, when he shall raigne ouer his, and he saith, in this day he will turne the fast of the fourth moneth .5. 7. 10. into ioyfull gladnes & chearefull feasts Zach: 8. There is a prophecy of a glorious Church, w^{ch} the Lord will haue vnder the new testament, & especially when the Jewes come to be converted vnto God, and there is a p̄mise that the Lord will dwell wth them, & they shall be his people & he will be wth them, and the effect of it is, all teares shall be wiped from their eyes: Reu: 21. 4. and the same is p̄phesied in Isay 65. 19. so farr as Christ is p̄sent he taketh away all cause of mourning & weeping, and in his p̄sence is fulnes of ioy, and at his right hand there is pleasures for evermore. Ps: 16. 11.

Reas: 2. The second reason is, because when the Lord Iesus Christ cometh once to be absent, then cometh in matter of mourning & fasting, all misery followeth the absence of Christ, as you see darknes followeth the absence of the sunne, the Lord leaueth Hezekiah 2 Kings. 20. 12. 13. and then what followeth vpon it, he sinneth exceedingly in shewing the Ambassadors the treasure in his house. The Lord departeth from his Disciples, & his Disciples leaue him & forsake him. John: 16. so when it pleaseth the Lord to absent himselfe, then cometh in cause of mourning, and this hath beene the reason that the seruants of God haue wonderfully desired the p̄sence of the Lord. Moses desired Gods p̄sence, or els never to go vp, and so Dauid

Ps:

Ps: 27. 9. because he knew very well, if God were absent from him, then misery wold follow.

Vſe 1. The first vſe may ſerue to teach vs a reaſon, why thoſe that are the children of God vpon their firſt acquaintance they get wth the Lord, they are not much addicted vnto faſting, the Lord doth not cary them that way; the time when Chriſt was vpon the earth, he being preſent wth his Diſciples, he was euer & anon inſtructing of them, when they were in dobt of any thing he telleth them; and if they cold not anſwere many dobts, then Chriſt came & answered for them, and if at any tyme they were in any danger, then Chriſt comforteth them, and was euer & anon wth them. And thus the Lord dealeth wth his children ſpiritually in regard of his ſpirituell preſence, when Chriſt firſt cometh to breake into the ſoules of his, he is wonderfully pleaſant vnto them, and euer & anon inſtructing of them & comforting of them, yea, the Lord heareth them before they pray, or when they are a ſpeaking & doth exceedingly ſolace them; but afterwards it may be the faynts of God may come to be left & forſaken of the Lord, either because the children of their mother is angry wth them, & make them keepe the vyneyard, thoſe vnder a covenant of works, maketh them trauaile vnder the burthen of that Covenant, and ſo maketh the Lord abſent himſelfe from them, and then Chriſt cometh to depart from them, & then they faſt; or els whileſt they grow carnall & fall into a ſpirituell ſleepe Chriſt leaues them. Cant: 5. 6.

2. Secondly, from hence we are taught how to cary & behaue ourſelues now vpon this day of humiliacon, there
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are divers evils wth wee may happily desire shold be remoued, both from forrayne Nations & from this place where we live, and divers good things we desire shold be p^cured both for them & ourselues. What is the course we must take? must we especially looke after the remouing those euill things, & p^curing those good things? this an hipocrite will do, see the example of Ahab. 1 Kings 21: 27. 28. 29. and the Lord will grant the desire of hipocrites: in this case, see 78 Ps: 34. for there the hipocriticall people of the Jewes, in their misery fought the Lord, and the Lord being full of compassion, he forgiueth their iniquities & destroyeth them not, in the 38 verse of that psalme, must we then do as they did? by no meanes: what must we do then? we must looke first, at the Lord Jesus Christ, & most desire now that Jesus Christ may be receaued in other Nations & other places, and may be more receaued amongst our selues, we must turne vnto the Lord, & then he will turne all into a right frame; when many enemyes came against Jehosophat, what doth he? he goeth & seeketh the Lord & his eyes are towards the Lord. 2 Cron. 20. 12. so the children of God are a company, a generation that seeke the Lord & his strength & face euermore, Ps: 105. 4. they do not only seeke the gifts of his spiritt, but the Lord himselfe, they doe not seeke after strength to be receiued from the Lord only, but they seeke after the strength that is in the Lord, they do not seeke only to know the Lord by fruits & effects, but looke vpon the Lord wth a direct eye of faith they seeke his face, and this is the generation of seekers spoken of. Ps: 24. 6. therefore if we meane to p^cure good things & remooue euill things,

things, this will be our course, seeing the absence of the Lord is the cause of fasting, and the end of our fasting must be our turning to the Lord, & he will turne to vs, Joel. 2. and thus the Lord will turne all things for the good of his, Rom: 8. 32. if we get the Lord Jesus Christ, we shall haue all things.

3. Thirdly from hence we are taught a reason, why those that do not know the Lord Jesus, they are vsually giuen most vnto fasting, not that I condemne fasting by any meanes; but this is it, many tymes those that are the least acquainted wth the Lord Jesus are giuen most of all to fasting, the Papists are giuen much to fasting & punish themselues by whipping, and the people in Captivity they weare not acquainted wth the Lord, & so did not fast to the Lord. Zach: 7. 5. 6. and yet appoynted more fasts then the Lord appoynted, the 4. 5. 8. 10 moneth, and the Pharisees fasted twice a weeke Luk. 18. 12. they want the Lord Jesus Christ, & they must haue something to rest vpon & must close wth some thing, and because they want Christ they fast. This for the first vse of instruc^{on}.

Vse 2. The second vse is of exhortation, it serueth to exhort vs all in the feare of God to haue a speciall care, that we part not wth the Lord Jesus Christ, if we part wth Christ we part wth our lives, for Christ is our life saith Paul, Col: 7. 4. the Lord Jesus Christ is not only the author of life, but is the feat of the life of Gods children, and all their life is derived from Christ, for he is the roote, & he convayeth life to the branches, and those that are the children of God, they live by the faith of the sonne of God: Gal: 2. 20. they haue faith to
lay

lay hold on the sonne of God, and the sonne of God conveyeth life vnto them; therefore if we part wth Christ, we part wth our lives, therefore it standeth vs all in hand, to haue a care Christ be not taken from vs, if we belong to the eleccō of grace, Christ cannot be taken wholly away from vs, yet he may be taken away in some degree, therefore let vs haue a care to keepe the Lord Iesus Christ.

Obiect: It may be here demanded, what course shall we take to keepe the Lord Iesus Christ?

Answ: The way we must take, if so be we will not haue the Lord Iesus Christ taken from vs, is this, we must all p^rpare for a spirituall combate, we must put on the whole armour of God, Ephes: 6. [11.] and must haue our loynes girt. & be redy to fight; behold the bed that is Solomons, there is threescore valient men about it, valient men of Israell, euery one hath his sword in his hand & being expert in warre, & hath his sword girt on his thigh, because of feare in the night, if we will not fight for the Lord Iesus Christ, Christ may come to be surprised. Solomon lyeth in his bed, & there is such men about the bed of Solomon, & they watch ouer Solomon & will not suffer Solomon to be taken away, and who is this Solomon, but the Lord Iesus Christ, and what is the bed, but the Church of true beleeuers, and who are those valient men of Israell, but all the children of God, they ought to shew themselues valient, they shold haue their swords redy, they must fight, & fight wth spirituall weapons, for the weapons of our warfare are not carnall but spirituall 2 Cor, 10. 4. & therefore wherefoeuer we liue, if we wold haue the Lord Iesus Christ to be abundantly p^rsent

p^resent wth vs, we must all of vs p^repare for battell & come out against the enemyes of the Lord, & if we do not strive, those vnder a covenant of works will p^ruaile, Wee must haue a speciall care therefore to shew our selues couragious, All the valient men of Daudid & all the men of Israell, Barak & Deborah & Jael, all must out & fight for Christ, curse ye Meroz, because they came not out to helpe the Lord ag^t the mighty. Jud: 5. 23. therefore if we will keepe the Lord Jesus Christ and his p^resence & power amongst vs, we must fight.

That these things may be the better cleared, we must vnderstand & call to our considera^{ti}ons, that as soone as euer Christ was borne into the world Herod & all Jerusalem was troubled Math: 2. and if the Lord had not p^rvented him, he sought to destroy him, & when Christ Jesus came once to shew himselfe & to declare himselfe & exercise his publike ministry, the world setteth themselues ag^t him to intrap him, & they labor to kill him, & neuer left till they had crucified the Lord of glory, for this was done by Herod & Pontius Pilate: Acts. 4. and when they haue crucified him, that wold not serue the turne, but he being buried, they came & made it sure & sealeth the stone, & setteth watch & ward, & wold haue buried the Lord for euer, & wold haue kept him eternally in the grave; but he raysed himselfe by his power; and since Christs resurre^{cti}on & ascension all the enemyes of the Lord Jesus Christ, they euermore do it spiritually, and as the buried the Lord Jesus Christ & labored to keepe him there, so spiritually they burie Christ, and they do not only labor to do this, that are Pagonish, but the Antichristian. Why do the heathen rage & the people imagine a vayne thing:

Ps: 2. 1.

Ps: 2. 1. what people are they, the people of God, the people of the Jewes, this people do imagine to take away the Lord Jesus Christ, and what hath beene the practise of all Antichristian spiritts, but only to take away the Christ, the sonne of the living God, & put in false Christs, & to deceaue the elect, if it were possible, Math: 24. 24. for what is Antichrist, but one being against Christ, and for Christ, his being for Christ, is being ag^t Christ, because he wold put one in the roome of Christ: therefore if we wold keepe the Lord Jesus Christ amongst vs, we must stand vpon our gard & watch ouer the Lord Jesus Christ, as the valient men of Israell watched ouer Solomon.

Obiect: It may be demaunded what course must we take to p^rvaile in this combate, for fight we must?

Answ: If we wold p^rvayle thorough the strength of the Lord (for of our selues we can do nothing) then we must first contend for the faith once deliued to the saynts. Jude. 3. that is the Gospell, it was but once deliued for the substance, though many tymes in regard of the manner, we must therefore striue for the faith of the Gospell, & striue together for the Gospell: Phil: 1. 17. if that the Light once be taken away, & darknes come vpon the face of the Church, then we may be eayfily deluded, and a false Christ put in true Christs roome.

Obiect: It may be demaunded, what is the Gospell?

Answ: It is the same glad tydings the Lord sent into the world of a Saviour that is borne vnto vs, euen Jesus Christ the Lord, this same Gospell is that heauenly doctrine, that was p^rphesied of before by the Prophet concerning Jesus Christ

Christ the Lord, to be made of the seed of Dauid. The Gospell is a diuine heauenly supernaturall doctrine, containyng in it the reuelation of Iesus Christ. to preach the Gospell is to preach Christ, and the Apostle saith Gal: 6. 14. God forbid that I shold glory in any thing but in the crosse of Christ: so that the Gospell is such a doctrine as doth hold forth Iesus Christ & nothing but Christ, when such a doctrine is holden forth as doth reueale Iesus Christ to be our wisdom, our righteousness, our sanctification & our redemption 1 Cor. 1. 30. when all is taken away from the creature, & all giuen to Christ, so that neither before our conversion nor after, we are able to put forth one act of true saving spirituall wisdom, but we must haue it put forth from the Lord Iesus Christ, wth whom we are made one; and such a doctrine holden forth as declares, that we are not able to do any worke of sanctification, further then we are acted by the Lord, nor able to procure our iustification, but it must be the Lord Iesus Christ that must apply himselfe & his righteousness to vs; and we are not able to redeeme our selues from the least euill, but he is our redemption; when Christ is thus holden forth to be all in all, all in the roote, all in the branch, all in all, this is the Gospell, this is that fountayne open for the inhabitants of Iuda & Ierusalem for sinne & for vncleanenes: Zach: 13. 1. and this is the well, of wth the wells vnder the old Testament were certayne types, this same well must be kept open, if the Philistines fill it wth earth, wth the earth of their owne inuencions, those that are the seruants of Isaack true beleeuers, the seruants of the Lord, must open the wells agayne, this is the light that holdeth

holdeth forth a great light, that lighteneth euery one, that cometh into the world Joh: 1. 9. and if we meane to keepe Christ, we must hold forth this light.

Obiect: It may be demaunded, is there nothing to be holden forth in poynt of iustifica^on, but only the righteoufnes of the Lord Iesus Christ, may there not be a reuela^on of some worke of sanctifica^on, & from that, may not we be caried to Christ Iesus, and so come to beleue in the Lord Iesus Christ, must Christ be all in poynt of iustifica^on?

Answ: Truly both in poynt of iustifica^on; & the knowledg of this our iustifica^on by faith, there must be nothing in the world reuealed but Christ Iesus, none other doctrine vnder heauen is able to iustify any, but merely the revelation of the Lord Iesus Christ, I am not ashamed of the Gospell saith Paul, for it is the power of God to salua^on, 1 Rom: 16. how? for in it, the righteoufnes of God is revealed: so it cold not be a doctrine wth power to convert a soule if the righteoufnes of the Lord were not revealed: therefore when the Lord is pleased to convert any soule to him, he revealeth not to him some worke, & from that worke, carieth him to Christ, but there is nothing revealed but Christ, when Christ is lifted vp, he draweth all to him, that belongeth to the election of grace; if men thinke to be saved, because the see some worke of sanctifica^on in them, as hungring & thirsting & the like: if they be saued, they are saued wthout the Gospell. No, no, this is a covenant of works, for in the covenant of grace, nothing is revealed but Christ for our righteoufnes; and so for the knowledge of
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our iustificacōn by faith, nothing is revealed to the soule but only Christ & his righteoufnes freely giuen, it was the very grace of God that appeared, that same apparition whereby the soule cometh to know that he is iustified, the obiect of it is Christ freely giuen, when the louing kindnes of Christ appeared 3 Tit: 5. not by the works of righteoufnes, they are layd aside, and the Lord revealeth only to them the righteoufnes of himselfe giuen freely to the soule; if men haue revealed to them some worke of righteoufnes in them selues, as loue to the brethren & the like, & herevpon they come to be assured they are in a good estate, this is not the assurance of faith, for faith hath Christ revealed for the obiect, therefore [if] the assurance of ones iustification be by faith as a worke, it is not Gospell.

Obiect: It may further be demaunded, must not any sanctificacōn by the Gospell be pressed vpon those that are the children of God, but only as it cometh frō Jesus Christ the roote, & as he worketh it in those, that are true beleeuers?

Answ: Not in the Gospell. Sanctificacōn must be preached no other way, all duties of sanctificacōn pressed vpon the children of God must be vrged, as wthall it be declared that they grow from the roote Christ Jesus. Worke out yo^r saluation wth feare & trembling, Phil: 2. 12. it is he that worketh in you both to will & do of his good pleasure; this is the covenant of grace, the Lord Jesus will be our sanctificacōn, & worke sanctificacōn in vs & for vs. A new hart will I giue you, & a new spiritt, and they shall walke in my statutes & you shall keepe my iudgm^t & do them. Ezek: 36. 26. 27. I will forgiue yo^r finnes, & write my Law in yo^r harts & inward

ward parts; [If works be foe preffed as] if a beleeuers had power in him selfe to worke, it killeth the spirit of Gods children, put any worke of sanctification in a legall frame & it killeth him, the Law killeth, but it is the spirit that quickens, that is the Gospell in w^{ch} the spirit of God is conveyed, when God speaketh he speaketh the words of eternall life: [& Peter saith to Ch, whether shal we goe, for wth y^e is y^e wordes of eternal life,] therefore ought no works of sanctification to be vrged vpon the seru^{ts} of God, so as if they had a power to do them, it will kill the soule of a man, & it oppresseth the poore soules of the saynts of God; Christ saith, Math: 11. 28, come vnto mee all ye that labor & are heauy laden, and as long as we are absent from Christ we are heauy laden; but when Christ pulleth vs to himselfe & takes our burthen vpon him, then we find ease; Learne of me for I am meeke & lowly, and you shall find rest to yo^r soules, Christ was so meeke & lowly, as content to receaue all from the father, and so must we be meeke & lowly, and content to receaue all from Christ; if the duties be preffed any other way, they will be burthens, that neither wee, nor our fathers were able to beare; therefore if we meane to keepe the Lord Iesus Christ, wee must keepe open this fountayne & hold forth this light, if there [be] a night of darknes, the feare (saith the Spirit of God) is in the night.

2. The second action we must performe & the second way we must take is, When enimyes to the truth oppose the wayes of God, we must lay load vpon them, we must kill them wth the word of the Lord, Hof: 6. 5. the Lord hath giuen true beleeuers power ouer the Nations, & they shall
breake

breake them in peeces as shivered wth a rod of yron; and what rod of yron is this, but the word of the Lord, and such honor haue all his saynts. Ps: 149. 9. the Lord hath made vs of threshing instrum^{ts}, wth teeth & we must beate the hills as chaffe, Isay. 41. 15. therefore in the feare of God, handle the sword of the spiritt, the word of God, for it is a two edged sword, and Hebr: 4. 12, this word of God cutteth men to the hart.

Obiect: It may be obiected that there will be little hope of victorie for the seru^{ts} of God, because the children of God are but few, and those that are enimes to the Lord & his truth are many?

Answ: True, I must confesse & acknowledge the saynts of God are few, they are but a little flocke, and those that are enimes to the Lord, not onely Pagonish, but Antichristian, and those that run vnder a covenant of works are very strong: but be not afayd, the battle is not y^{rs} but Gods, Yee know the speech rendred by the Prophet when so many came against Josua. Jos: 23. 10. one of you shall chase a thousand; and if we shold go in our owne strength we shold be swallowed vp many a time may Israel say, if it had not beene for the Lord, we had beene swallowed vp, if it were not for the Lord of hoasts, there were little hope of p^rvayling by the saynts, but out of the mouthes of babes & sucklings, God ordayneth him prayse, to still the enimes, the Lord will magnifie his name in the saynts, & though Gods people be but few, yet it is the Lord of hoasts, that God of heauen & earth, that layed the founda^{on} vpon the seas, & in comparison of whom, all the Nations are nothing;
Jehouah

Jehouah is his name that great God, it is Michaell that fighteth wth the Angells; therefore though the people be few, yet it is all one for God to faue wth many or those that haue no strength.

Obiect: It will be obiected, that diuers of those who are oposite to the wayes of grace & free coven^t of grace, they are wondrous holy people, therefore it shold seeme to be a very vncharitable thing in the seru^t of God to condemne such, as if so be they were enimyes to the Lord & his truth, whilest they are so exceeding holy & strict in their way.

Anfw: Brethren, those vnder a covenant of works, [y^e] more holy they are, the greater enimyes they are to Christ, Paul acknowledgeth as much in Gal: [1] he saith he was zealous according to the Law & the more he went in a legall way, the more he persecuted the wayes of grace 13 Acts. 14. 50. where all the devout people were such, as did expell Paul out of Antioch & out of all the coasts, It maketh no matter how seemingly holy men be, according to the Law; if they do not know the worke of grace & wayes of God, they are such as trust to their owne righteousness, they shall dye sayth the Lord. Ezek: 33. 13. what a cursed righteousness is that, that thrusteth out the righteousness of Christ, the Apostle speaketh, they shall transforme themselues into an Angell of Light, 2 Cor. 11. 14. therefore it maketh no matter how holy men be that haue no acquaintance wth Christ. Seest thou a man wise in his owne conceit, more hope their is of a foole then of him. Pro: 26. 12. we know (through the mercy of God) assoone as Christ cometh into the soule,
he

he maketh the creature nothing: therefore if men be so holy & so strict & zealous, & trust to themselves & their righteousness, & knoweth not the wayes of grace, but oppose free grace; such as these, haue not the Lord Iesus Christ, therefore set vpon such wth the sword of the Spiritt, the word of God.

Obiect: It will be objected, that the children of God should be a meeke generation, it is an exhortation the Apostle giueth. Jam: 3. 13.

Answ: ffor to fight courageously & in the cause of God, and to be meeke, they are diuers, but not opposits, they may stand very well together: You know when Steven was of a meeke frame, for the Spirit of God was in him, & he was of a calme quiet frame & disposition, and yet you see what a vehement speech Steven made to the enemyes of God, Acts. 7. 51. it cut them to the very hart, yet Steven a meeke man, he prayed for his enemyes in a meeke frame of spiritt, & yet vehement to those that oppose the wayes of God. Christ was meeke, I am sure you will say, & he saith, learne of mee for I am meeke & lowly, yet when he cometh to those that did oppose the wayes of grace, you are the children of the diuell, John. 8. 44. and in the 23 Math: 23. Woe be to you Scribes Pharisees hipocrites, a vehement speech he vseth, yet Christ the meekest man that euer was, therefore you may easily beate downe those holds, by the sword of the Spiritt, the word of God.

Obiect: This will cause a combustion in the Church & comon wealth, may be objected.

Answ: I must confesse & acknowledge it will do so, but
what

what then? did not Christ come to send fire vpon the earth, Luke 12. 49. and what is it, that it were alredy kindled, he desireth it were kindled, and it is the desire of the Spirit & of the saynts that this fire were kindled; is not this that that is pphesied of, Isay 9. 5. This battle betweene Michaell & his Angells, the battle betweene Gods people & those that are not, those battles of Christians must be burning, and what is it, but the burning of the word of God accompanied by the Holy Ghost, this is pphesied of in Mal: 4. 1. the day shall come that shall burne like an oven & all that do wickedly shall be stubble, and this is the terrible day of the Lord, when the gospell is thus held forth, this is a terrible day to all those that do not obey the Gospell of Christ; Brethren, we know that the whore must be burnt, Reu: 18. 8. it is not shaving of her head & paring her nayles & changing her rayment, that will serue the turne, but this whore must be burnt. Many speake of the externall burning of Rome, but I am sure there must be a Spirituall burning, and that burning by the fire of the Gospell; This way must Antichrist be consumed. 2 Thes: 2. why shold we not further this fire, who knoweth not how soone those Jewes may be converted? Reu: 18 & 19 chap: after the burning of the whore followes, Alleluia, a praying of the Lord in Hebrew; wee know not how soone the confusion of the Jewes may come, and if they come, they must come by the downfall of Antichrist, and if we take him away, we must burne him; therefore neuer feare combustions & burnings.

Obiect: Lastly it may be objected against those combats & fightings, if Ministers & christians be so downeright & so strive

strive & contend, & holde forth the word of God wth such violence & power, this will be a meanes to discourage those that are weake Christians, & do them a great deale of hurt.

Anfw: Let the Gospell be neuer so cleerely held forth, it neuer hurteth the children of God, no, it doth them a great deale of good, that same very fire of the word, that burneth vp all vnbeleeuers, & all vnder a Coven^t of works, that Gospell doth exceedingly cleare Gods children. Mal: 4. 2. then the sonne of righteousnes shall come wth healing in his wings, and in the 3 Math: Christ when he handleth the Gospell, he layeth the axe to the roote of the tree, and what followeth herevpon, he will purge his floare, & cutteth downe all hypocrites, and those that build vpon any thing besids^t Christ, and then he will purge the Church, and gather the wheate into the garner, true beleeuers will come in, vnbeleeuers & hypocrites chaffe will be burnt vp: so the same Gospell that is a word of terror to the wicked men, is a great comfort to all that beleue in the Lord Iesus Christ.

3. Thirdly, if we meane to keepe the Lord Iesus Christ, we must be willing to suffer any thing, You know in the 12 Reu: 11. the faynts of God overcame, and over came by the blood of the Lambe, that is by the Lord Iesus Christ, & by the word of the testimony, that is the Gospell, and they loued not their lives vnto the death, that is, if we will overcome we must not loue our lives, but be willing to be killed like sheepe; it is impossible to hold out the truth of God wth externall peace & quietnes, if we will p^rvaile, if we be called, we must be willing to lay downe our lives, & shall ouercome
by

by so doing; Sampson slew more at his death, then in his life, and so we may p'vaile more by our deathes, then by our lives.

4. ffourthly, if we will keepe Christ, we must consider, that we cannot do any of this, by any strength that is in our selues, but we must consider that it is the Lord that must helpe vs & act in vs, & worke in vs, and the Lord must do all; When as Zerobabell & Josua & the people came out of captivity to build the temple, they all tooke their rest, & lett the temple alone, till the Lord came & stirred vp the spiritt of Zerobabell & Josua & the people, and then they fall a building: so (brethren) we may thinke to do great matters, and lye quietly & calmely, and let the enemyes of the Church do what they will, till the Lord stirr vs vp, the Judges stirred not, till the Spirit of God came vpon them, and then they did wonderfull things; so in some measure, we must looke for the Spirit of the Lord to come vpon vs, and then we shall do mighty things through the Lord, it is the Lord himselfe that must effect & do all: this for the first exhortation, not to suffer the Lord Jesus Christ to be taken violently away from vs, wherefoeuer we live, we shall find some that go vnder a covenant of works, and these are enemyes to Christ, and the flesh will lust against the Spirit. Gal: 5. 17, and so we shall find it in our spiritts, those that are after the flesh, do mind the things of the flesh, Rom: 8. 5. therefore wherefoeuer we are, we shall haue Christ taken from vs by violence, if the Lord be not pleased to giue vs to vse these meanes.

The second vse of exhorta^{ti}on, we that are vnder a Covenant of grace, let vs all haue a care so to carry our selues,
that

that we may haue the p^resence of the Lord, that he may not depart from vs; for if the Lord depart we shall haue cause of mourning indeede: That we may carry & behaue ourselues, as the Lord Iesus Christ, who is amongst vs, that he may still be more & more p^resent wth vs,

1. first we must haue a speciall care, that as any of vs are interessed wth the Gospell, so to deale faithfully in the dispensing of it, whether we be in place or not in place, whether brethren or sisters, being made pertakers of the grace of God, being made stewards wee are to be found faithfull, [therefore let vs haue a care to deale faithfully,] & to hold forth the truth as it is in the Lord Iesus Christ, & then wee shall find the Lord to be p^resent wth vs, Math: 28. 20 Behold I am wth you, if you teach that, that he hath comanded, he will be wth them; therefore in the feare of God haue a care, that we do renounce the hidden things of dishonestie, and that we do not vse any deceit; Let vs not be as some that corrupt the word, but in sincerety in the sight of God as in Iesus Christ, so let vs speake, Let vs all haue a care to hold forth Christ, & not to runne into generalities, lest Christ vanish away in a cloud, while the saynts of God stand gazing & haue sad harts, when we are to hold forth any truth, let vs deale faithfully in this kind, and the Lord will be abundantly p^resent, we shall find he shall be a Saviour wherefoeuer he cometh either of life or death, and if we be faithfull in few things, he will make vs rulers ouer many. Math: 25. therefore if we meane to inioy the p^resence of Christ, & still wold haue more of the Lord Iesus Christ, & wold haue Christ to come & say, good & faithful

full seruant, & bestow more of his p^resence amongst vs, let vs be faithfull in dispensing any word of truth.

2. Secondly let vs haue a care all of vs, that we loue one another, this is my comaundem^t that you loue one another, as I haue loued you. 1 John. 3. 23. the Lord Christ delighteth in a louing people, when the saynts of God loue one another, & are willing to lay downe their lives one for another, the Lord delighteth in them, Christ was louing when he was vpon the earth, if the Disciples were in danger at any tyme, he came & supported them, & helped them when they were poased by the Scribes & Pharisees, sometyme he came & answered for them. Acts. 2. 15. some mocked at them, then Peter steppeth vp and saith, those are not drunken as ye suppose, he loued them & answered for them. Moses seeing an Egyptian striving wth his brother, he came & killed him. Acts. 7. 24. 25. 26. so Christ puttet^h into his people a louing spiritt; therefore let vs haue a care, [y^t] we do not alienate our harts one from another, because of diuers kind of expressions, but let vs keepe the vnity of the spiritt in the bond of peace, let vs haue a care to loue one another, and then the Lord Iesus Christ will be still more & more p^resent.

3. Thirdly, let vs haue a care that we shew our selues in all manner of good consulation. 1 Pet: 1. 5. both in private & publike & in all our cariages & consulations, let vs haue a care to be holy as the Lord is holy, let vs not giue an occasion to those that are coming on, or manifestly opposite to the wayes of grace, to suspect the way of grace, let vs cary our selues, that they may be ashamed to blame vs, let vs deale vprightly wth those, wth whom we haue occasion to deale, and
haue

haue a care to guide our families, & to performe duties that belong to vs, and let vs haue a care that we giue not occasion to others to say we are libertines or Antinomians, but Christians, let vs expresse the vertue of him that hath called vs, and then he will manifest his p^resence amongst vs. John: 14. if you loue me I will manifest my selfe to you, he will crowne his owne worke wth his p^resence, he will come into his garden & eate of the pleasant fruits; therefore let vs carry our selues, so that we may haue no cause of mourning, for if the Lord be absent, there is cause of mourning.

The third vse is for reproofe. And first it serueth to condemne all such as in their fastings & dayes of humiliation, do principally & aboue all seeke for blessings to be procured & euills remooued, and this is that, they are first carried vnto, this is not the mayne matter, the mayne matter is the absence of the Lord; therefore if wee will do as we ought to do, and performe this duty a right way; We must first of all be carried vnto the Lord Iesus Christ: they may procure great blessings from the Lord, & yet the Lord never accept of them, they may pray to the Lord & fast & humble themselues, and the Lord may heare them & pardon them, & turne away his wrath; and yet for all that, never saue them; how did the Lord cary himselfe towards the people of the Jewes, you know the Lord gaue them his p^resence in the wilderness, & gaue them an extraordinary signe of his p^resence, they had a pillor of fire by night & a cloud by day, and the Lord did cause the Angell of his p^resence to go before them. 9 Neh: 12. and gaue them his good spiritt to instruct them. Isay 63. and yet for all that, the body of them were hipocrites, and the Lord sware in his wrath, that they shold never enter
into

into his rest, what is the matter, they procure vnto themselues things from God & the blessing of God; but they did not get the Lord himfelfe, they had the Angell of Gods p'sence to go before them, but they had not the Lord Jesus Christ in them, they had the spiritt to instruct them, but they had not the spirit to dwell in them, they procure blessings to themselues from the Lord, but they neuer got the Lord of blessings: therefore all those that turne vnto these blessings in the first place, and do not first of all turne to the Lord, will neuer be made pertakers of the Lord.

2. The second sort that are to be condemned, are all such as do sett themselues against the Lord Jesus Christ, such are the greatest enemyes to the state that can be, if they can haue there wills, you shall see what a lamentable estate both the Church & comon wealth will be in, then we haue neede of mourning, the Lord he cannot endure those that are enemyes to himfelfe & people & vnto the good of his Church, such shall neuer be able to p'vaile against the Lord: What will be the end & issue do you thinke, if people to set them selues against the wayes of grace & the Lord Jesus Christ? this will be the issue of it, those that oppose the wayes of grace & resist the truth, they shall wax worfe & worfe. 2 Tim: 3. & they may happily p'ceede a great way, but the tyme will come that they shall go no further, and by reason of agitation of things it will come to passe, that the truth will be cleared & their folly will be manifested to all men, so saith the Apostle, it is hard to kicke against the pricks. Act. 9. 5. whosoever striveth against the Lord cannot prosper; if men or women fall vpon the Lord Jesus Christ they breake, but if the Lord Jesus Christ do fall vpon them, he will

will breake them all to powder, if any fall vpon Christ & they will not let Christ alone but fall vpon them w^{ch} hold him forth, & will abuse them, and be buffeting the Lord Jesus Christ, there is neuer a stroke they giue, but maketh wounds in their consciences, but if they will be heaving out Christ, they shall find it the heaviest stone that euer was, it will fall & breake them all to powder; if people set themselues against the Lord, & the wayes of grace & his truth, this will be the issue of it on their part, either those that set themselues against the wayes of God, they will be put to silence by the light that cometh from Christ, that they will be so convinced, that they shall not be able to speake any more in their cause, as Christ put downe those that came against him, that they durst aske him no more questions, & there cometh such a power from the word held forth by the saynts of God, that it [will] strike a feare into their harts that oppose it. What aylest thou O Jordan that the floods go backe, tremble thou earth at the p^resence of the Lord, they that came to take Christ they fell backe, there cometh a divine power from the Lord & turneth them all backe, the Lord will strike wth trembling those that come against Jerusalem, or if they be not put to silence, it will come to passe in tyme, they will fall into wonderfull strong passions & will quarrell wth the saynts of God; it was the case of Zedekiah & Michaiih, the question was whether of them had the spiritt of God, he came & smote the Prophet of God vpon the cheeke, but Gods spirit is no smiting spirit: Steven convinced the Jewes, & did by the power of the Holy Ghost, evidence his cause to be the cause of God, and they were not able to resist the spirit by w^{ch} he spake, & they all came & run vpon him, Why do you resist the Holy

Holy Ghost? what maketh the sinne against the Holy Ghost, but inlightening, & setting themselues against the wayes of truth & persecuting it in malice & wrath: it is a feareful thing to fall into the hands of the living God. Hebr: 10. for our God is a consuming fire, Heb: 12. 29. let euery one (in the feare of God) haue a care, how they set themselues against the truth & wayes of God, and the wayes of Iesus Christ, for we must all apeare before the Judgment seat of Christ. 2 Cor. 5. 10.

The last vse shall be for consolacōn, (howfoeuer this be a day of humiliaōn yet the apprehension of Gods grace & mercy & goodnes, it worketh the kindest humiliaōn, sinnes are to be considered & looked vpon, but sinnes against the God of grace, may melt one: In that day I will power vpon them the spiritt of grace, and they shall mourne, Zach: 12. 10. therefore the last vse shall be for consolacōn,) and it may serue to comfort the children of God w^{ch} do hold forth the Lord Iesus Christ & do desire that the Lord Iesus Christ may be receiued into Churches, into families, into the harts of the people of God. (Brethren) those that walke this way are the greatest freinds vnto the Church & comon wealth, they intend & labor & indeauo^r to bring [in] the Lord Iesus Christ, and if Christ be p^rsent, there will be no cause of fasting & mourning: therefore let me (in the name of God) incourage all those that hold forth the wayes of grace, and do indeauo^r to make knowne the Lord Iesus Christ. (Brethren & Sisters) endeauour to bring Christ into the harts of people, and then you shall make the Church happie, & yo^rselues happy, lift vp yo^r heads O ye gates &c Pf: 24. 7. bring the Lord Iesus not only into thy house, but into thy

thy chamber of him that did beget you, endeauor it, for this is Gods way, & it is a way to bring peace & happines both to Church & Comon wealth.

Secondly, it may comfort the saynts of God in this respect, that seeing the Lord Iesus Christ his absence is the cause of fasting & mourning, this is a comfort to the children of God, that come what will come they shall be in a happy estate, they shall be blessed: suppose those that are Gods children shold loose their houses & lands & wives & freinds, & loose the acting of the guifts of grace, & loose the ordinances, yet they can never loose the Lord Iesus Christ, this is a great comfort to Gods people: suppose the saynts of God shold be banished & depriued of all the ordinances of God, that were a hard case (in some respect) for we had better part wth all, then the ordinances; but if the ordinances shold be taken away, yet Christ cannot: for if John be banished into an Iland: Reu: 1. 9. 10, & the spiritt come vpon him on the Lords day, there is amends for the ordinances, amends for banishment, if we loose the ordinances for God, he will be ordinances vnto vs: therefore let the saynts of God be encouraged though they shold loose all they haue, yet they being made one in Christ, and Christ dwelling in their harts by faith, they may be pswaded nothing can seperate them from Christ: Rom: 8. 38. 39. therefore let the saynts of God reioyce, that they haue the Lord Iesus Christ, & their names written in the booke of life, be glad & reioyce, for great is yo^r reward in heauen.

NOTE. The words enclosed in brackets in the foregoing discourse have been supplied to complete the sense, mostly from the early MS. copy in the possession of the Massachusetts Historical Society, as printed in their "Proceedings," in 1866.

Mercurius Americanus,
Mr. WELDS his ANTITYPE,
OR,
MASSACHUSETTS
great APOLOGIE examined,
Being *Observations* upon a Paper styled,
A short story of the Rise, Reign, and Ruine
of the *Familiſts, Libertines, &c.* which infected the
Churches of *NEW-ENGLAND, &c.*
Wherein ſome parties therein concerned are vindicated, and
the truth generally cleared.

By JOHN WHEELVRIGHT junior.
φιλαλήθες.



L O N D O N :
Printed, and are to be ſold at the *Bull* near the Caſtle-
Tavern in Cornhill. 1 6 4. 5.



TO THE READER.



HERE is a paper lately printed, intituled, The Rise, Reign, and Ruine, &c. upon which I had (in regard of the importunity of some friends, together with the expectation of many others, looking at the task as almost necessarily imposed upon me) presumed to observe, and indeed I protracted not for want of time; but in hope some of the family, or at least, through their direction, some of their friends, would have applyed themselves to it, which wher I see not, I resolved upon it (as upon) (in regard of the premisses) an Indispensable Act, not out of any affection to be seen in Print, but out of a pitie, which I had on Innocence, (unlesse by this means) remedilessly to be oppressed under Insolence and Malice, as appears in the forenamed discourse.

Where we meet first with some Apologeticall passages, one of which, is the perfecting of a book lately come forth out of the Presse, to which, he saith, he was pressed by divers; wherein perhaps he intends, to be Rhetoricall, but what is the

the Result of this pressing, to extract (forsooth) the quintessence and spirits of the Author: in what? In perfecting the History; which terme perhaps he useth secretly to excuse the Incompleatnesse of his Notions for those things which are perfective, of another especially per modum formæ supervenientis materiæ, (Such as his are pretended) use to be Incompleat: But what perfection doth he intend? what degree of actus perfectivi will this man give, such as the first Aēt gives? No, thats being, or entity meerly, which it seems it had before, or such as the second Aēt adds, thats a form, formality, this surely he would conferre, which he hath done poorly, as appears; or will he go higher, and bestow the perfection of the third Aēt upon the second existence; and draw it extra causas, that he hath done, Extra Ideales ac primordiales in some places, but by this means he hath brought it within the compasse, of hic & nunc, which I am glad of, that I may Answer it: But how will he perfect it? He tels us how, by laying down the sense and order of the story: What have we here? a mythologie? Reall Histories use to carry their own sense, matters of fact need no comment, fictions have their senses, Fables their Morals. Did his zeal of sending one mite towards the prostration of these Opinionists pitch his thoughts, impatient of story, and examining the matter upon glosse and invective? or shall we construe it as a fatall dash of his pen, practically pointing out to us the sequell? Or did the man lay down his own sense, when he resolved to lay down the sense of the story? Order, perhaps the other used Synthetically, and began with Mrs. Hutchinson whom he calls the head of the faction, this man will use Analytically

lyticall and conclude with her; the first its likely was some simple Theorist, this an Actor in the businesse, I warrant you, let him be what he will, he would seem a good Methodist, not in martiall affairs though, for he sets Mrs. Hutchin-
 son whom he calls, as before, the Captain * in the rear, * 2
 which seems to be an error unlesse as afraid of a combat
 he would put his book into a posture of retreat, which it may
 be he intends, and so I will follow him. Here is much pretence
 of conformity to heavens proceedings, whilst he saith, What
 God hath pardoned in heaven he would not renew on earth:
 But he would be excused this correspondence three wayes. First,
 by declaring this was in print before he medled with it. But
 observe Reader, he is guilty of the Order and sense of it. Sec-
 ondly, by saying Gods great works must be made known: it
 seems his works mediately by them are greater than his imme-
 diate acts. Thirdly, by that ordinary pretence the necessity
 of State, the times call for his writing, he saith; he would be
 thought an Oracle of Imperiall depths; A considerable per-
 man, upon whom States depend, and whose writings the
 exigences of Kingdoms expect. Upon which supposition I
 wonder he took no more pains, for he would make us beleve,
 he wanted time, which I cannot think, unlesse by his expres-
 sion a strait of time, he mean in allusion to straits of land, a
 part of time intercepted twixt two other parts, which might
 so be a yeer, and is most likely: Or unlesse he mean in regard
 of the pretended seasonableness of his discourse, τὸν καιρὸν,
 the opportunity of time; or unlesse that the matter of his
 book were so blamelesse as that in charity, we might conceive
 he did intueri verbum when he writ it, and so was in a
 higher

higher measure of his Action then time. But whatsoever may be allowed him in patria, if that will not be granted him in via, if he did make use of time, I am sure he had a competencie of it at the least, for though he be (I will not detract) one of the higher sphæres, yet (in which he is higher too) in his discourses, especially polemick, he affects the pace of Saturne, under whose planetary houre he was born; but if this content him not, but he will (that he may hurry all after his opinion) needs be stiled primum mobile, let him be so; and I in respect of, and reverence to his grave, and regular motion will be circumvolved a little with him, onely he must give me leave in the nature of an Orbe as well as he, though a lower one, to have a proper motion of mine own, wherein though I thwart him, I may perform my own course by which I hope to have some influence upon thee unprejudiced & qualified Reader; which obtained makes the period, and revolution of thy Mercurie,

JOHN WHEELWRIGHT.





ALTHOUGH my Intentions be to apply my thoughts to those things which do expressly concern Mr. *Wheelwright*, yet seeing I have undertaken to vindicate him, I must likewise ingage myself in those things, which are of remoter and more implicate concernment; wherein he is by way of involution, and as the construction of people ignorant of matters may proceed after a more eminent way disgraced, *viz.* in his being put promiscuously amongst those whom they call Antinomians, Libertines, &c. and being equally intituled to the erroneous positions subsequent: a grosse abuse, not onely to him, but to some others who are brought upon the stage * that they should * 3 be thus indiscriminately charged as they are in his Preface, which begins thus. *After we had escaped the hands of the persecuting Prelates, &c.* Yes, then you began to be *prelaticall* your selves, else why did not you admit those men, who left Bishops as well as ye, to a freedome of spirit, and conscience which they came for? or at the least, why did
you

you not protract their censures, and give them leave to recover, and recollect themselves after they were out of the hands of those Prelates? you might have consider'd, that it was their good opinion of you, and the reformation amongst you, which scrud their meditations in way of preparation for your society, to a sublimation in doctrine, as well as discipline; and there might be some dispositions to errours at the first, which would never have advanced so much, had not the *Antiperistasis* of your vehement prosecution forced them into a habit; you might have been pleased to have looked at them as men transported, through the fancie of practicall liberty to be injoyed, into some doctrines of Libertinisme, and so have allowed something to imagination: which is the main, you might have reviewed your former condition, wherein (as you say your selves) you were exposed to the malice of your *Diocesans*; divers waies, me thinks, there are whereby you might have taken up your selves in more moderate deportment towards your brethren, then in fining, confining, imprisoning, disfranchizing, banishing, and as much as in you lay, killing.

The infection which the Churches caught by these errors, fwels into three heads, *How they have prevailed, how they reigned, and how they were ruined.* Here is their προάχμη άκμη, and παράκμη, and here I must needs prosecute that which I before named, viz. the unequall, (and yet too equall) implication of some parties, hereafter named in the errors, all which to my certain knowledge, and, I beleieve, to some of theirs, even to the *Author* of the book, are disfavowed by some of these supposed Libertines, by name, (for seeing these

these tenents were attributed to all, yet not *univocally* but *Analogically*, I must apply my self *ad principale Analogatum*) Mr. *Wheelwright* who hath openly protested against them, witnesse *Mount Wollaston*, where they know, and our Author tells us, that one of his own Scholars told him, *He set up Antichrist because he did not complie with him*; a heavie charge, which surely he would never have put upon Mr. *Wheelwright*, to whose Doctrine he ever before assented, had there been so neer an agreement twixt them as this perfecter tells us, whose words are these, after he had named the opinions of this Scholar of his as he calls him: *Now* (saith he) *these things were so grosse that M. Wheelwright could not but contradict them, yet so tenderly as shewed a neer agreement with him in these points.* And saith moreover, *that they are necessarie consequences which he gathered from his doctrine.* Where there are divers indignities put upon Mr. *Wheelwright*. First, that he should have unsound principles. And secondly, not know their consequences * as well as an illiterate man; I can scarce forbear to * 4 break my order, and fall upon him now, but I shall come at length more fitly to it, and shall trie how well our Author is skilled in *consequences*: in the mean time, I use this now to let the Reader see the injustice of this *Medley* of his; if the heat which inspires his paper, were true zeal, it would *Congregare homogenea & segregare heterogenea.*

There are others too as well as Mr. *Wheelwright*, who are not affected with these paradoxes, as Captain *Underhill* a gentleman, who did good service against the *Pequits*, as it is well known in *New-England*, which their *Emissary* might

might have requited better then to have mustered him among a troop of *Enthusiasts* under Mrs. *Hutchinson* their Captain as he calls her. Admit he erred, yet shall every little error touching *Divinity* in militarie men, whose stirred humours may easily attenuate the spirits, when they so apply themselves, and refine them into a *nicety*, be heighten'd into heresie, and presently seen in print? He urged the libertie allowed to Souldiers, instanced in the freedom of speech he had to *Count Nassau*: But my Authors reason for setting out his book was pretended for his censure, *viz.* the necessity of State, and so the Captain was degraded.

Another mentioned in his Catalogue is Mr. *Edward Hutchinson*; I wonder that he is amongst the crowde, when as he did not use to be factious or opinionate: indeed the *genius* of that family hath not much inclined to subtilties, scarce any of the *Hutchinsons* have been Sectaries, unlesse *à latere*, and indirectly, by reason of which, me thinks, he might have been placed (if it must needs be) more obliquely in this predicament of *Familisme*, &c. then he is. This man said in the Court (which through Christian libertie he thought he might very well say) that if the Court took away his means, he should not be able to maintain his wife and children. Now the Court when they pronounced his Fine, might think, (supposing him to be *Enthusiastique*) that he would not have looked at means as necessarie, but rather in a holy triumph have prostituted all, and expected immediate influence: in which he deceived the awfull and serious expectation of the Court, which ac-
cessary

cessary contempt committed him, and re-inforced his prepared censures; which might be hastened the rather by this reason too, the Governor comparing the intended Fine with his estate, might see disproportion, which he thought might be called *Contemptus Naturalis*, though not *elicitus*; Or whether they looking at him as apprehensive of want suspected him; that conceit promoted too by a late imagination of the crime, as likely to be seditious. However it was, the man was fined fourty pound, and disfranchized.

Another is Mr. *Sam: Hutchinson* who (as I remember) upon dislike of some proceedings in Court out of a pang of zeal, though otherwise no great Crit- * tick, asked a * 5 question of them in way of scruple, whereupon he was censured guilty of contempt, and (I think) sedition too, and so was banisht. But observe the wisdom of the Court, they perceiving, in that he did but meerly ask a question, that there were in him some sparks of truth, and ingenuity, sent him to a place called, *The Isle of Errours*, that by the *circumobstence* of corrupt opinions, that little good which he had might be united and fortified, and he at length reduced into an hability of cohabitation; which effect it seems it had: for, as I hear since, he is resumed into their precincts. And this I must say for the Court, they were so courteous to him besides, (rare lenity!) as that they allowed him libertie to come to them to *Boston* once a moneth, even during his expulsion; I suppose in the waning of the Moon, when his hotter fits (as they conceived them) were over, thinking that in some competent time, he might be perfectly cured of the *Lunacie* which they supposed possessed him.

The

The next are Mr. *Cogshall*, and Mr. *Aspinall*, which latter for his dislike of some proceedings of Court was banisht, and Mr. *Cogshall* Deputie, presuming libertie to dissent from the major part, through reluctance of his conscience, and reflection upon his priviledge, broke forth into this expression: *That if he could not be heard, he must*: whereat he stopt, which might have been well interpreted; for being incensed by reason of the severe dealing with his brethren before him, *per Imperium voluntatis*, and out of brotherly love, he thought he must do something, although his reason (for the present charmed by the *Magick* of the Court so powerfully exercised upon those that were sentenced before him) could not tell him what, whereupon he stopt at the word *must*: for which *apostrophe* he was disfranchized, as one that through such eloquence might become a pestilent fellow; but since he hath lived peaceably, resolving never to discover more *Rhetorick* lest he should be banished.

The next in his book is *Tho: Marshall*, the Ferrie-man, as he calls him; this good man was occupied in a River called *Charles River*, directly betwixt *Boston*, the place of these Opinionists, and *Charles Town*, and other Towns, where his spirits being predisposed by the roughnesse of winds and waves, and agitated by the *Counterbuffes* of Divinitie, which the respective passengers vented, he might (you will say) easily be inflamed; But as long as he kept his watery Element he had an allay: which when he left, and went to the Court, whether he did (as referring to the premisses, you may conceive possible) rudely enter into the Court, or whether his feaver beat so to his fingers ends, as
it

it urged him to subscribe to a Petition; however it was, he was pronounced guilty (which indeed is common with watermen) of contempt. Hereupon displaced, since which time, for want of that employment, he is * grown so * 6 poore, that he will not be able to pay the indispensable halpenny to *Charon* for his passage.

The next is one *Tho: Grydley*, an honest poore man, (as the Pamphleter calls him) yet (as he saith) *too busie in things above his reach*; alas good man! he never knew that *quæ supra nos nihil ad nos*, but the Court cured him of his pragmatiknesse very well; for they took from him his employment, and censured him an abettor of *contempt*, and *sedition*, which termes he never hearing before, nor not knowing what they might mean, did so amaze, and masquer him, that ever since, in an admiring speculation of, and gazing upon them, he hath stood as in a rapture or *extasie*, not finding leasure for new action.

There is one more, *viz.* Mr. *Dyer*, he was charged with contempt too, though I think onely disfranchised, that his brain might move in a lesse compasse, whereupon the good man was united into an ability to deliver his mind concerning an opinion of his in the Church, which our *Author* saith he did weakly too. In such cases as these me thinks that of the *Apostle* might have place: *If any one be overtaken with an errour, ye that are spirituall restore ye such a one in the spirit of meeknesse.*

The first amongst the women is Mrs. *Hutchinson*. This is she who he saith *had at once thirty conceptions, some bigger, some lesser, some of one shape, some of another*: and this
he

he assures us, saying, *That he hath learned otherwise (blessed be his Name) then to delude the world with untruths.* I question not his learning, &c. but I admire his certainty, or rather impudence: did the man obtestrate? We know (as he saith of himself, *he sometimes hangs up brats against the Sun*, but surely he medled not with these, reserved I suppose, &c. unlesse he had it from him who is so *eccentricke* in his motion (as one saith of him.) But what if he had it from any then present? will that suffice to make him so confident, as thereupon to take occasion to ingage, and magnifie Divine direction, and derive this not known by him to be a truth, from the God of truth? If any of the men he calls Familists, &c. had done so, would it not have been accounted irreligious? relishing of profanenes? &c. would not my Authors softest exposition have called it unfavourie?

As for his *Analogy*, which he observes betwixt her productions and opinions, *That as she held thirty of the one, so she brought forth thirty of the other: Gods wisdom* (he saith) *fitting those to these:* It is a monstrous conception of his brain, a spurious issue of his intellect, acted upon by a sweatish and Feaverish zeal, which indeed beats almost in every line; and resolves his in themselves imperfect sometimes, if not feigned facts into phanatique meditations. For first the proportion is not exact, for he reckons not 30. opinions which he calls Mrs. *Hutchinsons*, and those many of them coincident too, made more I suppose to prepare for his conceit. Secondly, but admit it were, yet his No-
 * 7 tion * is impertinent, for he brings in defects of Nature, amongst defects of Manners. All he can say (if he were
 so

so acute) is, that those are these *reductive*, and as they are effects of sin. A poore plea, by the same reason he may under the same title discover all the weakneses and naturall imperfections either of man or woman, and fix a kind of morality upon them: But he will say perhaps, that this birth was an extraordinary defect: It avails nothing, unlesse he will either raise it to a miracle, or at the least prove a supernaturall remission of the *formative virtue in her*. That will require a most accurate physicall inspection which I think his learning will not reach, although (for ought I can see) his modesty might: for he tels us of women *purging and vomiting*, what if the distemper we usually call *Cholera* did for the present oppress those women? must it needs be proclaimed? must it needs be in print?

As for Mrs. *Hutchinson*, she was a woman of a good wit, and not onely so, which is all he will allow her, but naturally of a good judgement too, as appeared in her civill occasions; In spirituals indeed she gave her understanding over into the power of suggestion and immediate dictates, by reason of which she had many strange fancies, and erroneous tenents possesst her, especially during her confinement, where she might feel some effect too from the quality of humors, together with the advantage the devill took of her condition attended with melancholy. In a word, as guilty of most of these errors, and for a pretended revelation of the destruction of the *Court*, she was expelled the *Bay of Massachusetts*.

The next is Mrs. *Dyer*, the wife of Mr. *Dyer* aforementioned, she was devoted to Mrs. *Hutchinsons* fancies; this is she,
who

who (he faves) had the monster: whether the conceptions of her brain had influence upon the conceptions of her wombe, or these of the wombe upon those of the brain, I will not discusse. This *discoverer* inclines to the former, I think he might by a deeper search have reached the naturall cause whilest he in his *Method* telling us her penaltie, judges her for her errors immediately sentenced from heaven: in which passage, as in many other in his book, a spirit of censure and malice is pregnant.

The other he speaks of is one goodwife *Haukins*, who he saith, is a *witch*; a poore filly woman, yet having so much wit, as perceiving Mrs. *Hutchin*: ambitious of *profelytes*, to supply her wants, she attended on her weekly *Lecture*, (as it is called) where when Mrs. *Hutchinson* broached any new doctrine, she would be the first would taste of it: And being demanded whether it were not clear to her, though she understood it not, yet would say, *Oh yes very clear*. By which means she got, through Mrs. *Hutchinsons* affection to her, some good victuals, insomuch that some said she followed Christ for *loaves*; Now seeing those things were so, me thinks our *Author* need not have

* 8 been so rigid * in his opinion of her. Alas, *Ars illæ sua census erat*, surely a little lesse gall would (as concerning others, so her) have done better in his ink, when, as it appears, she complied with her *patronesse*, not so much out of love to her *positions* as *possets*, being guilty I think of no other *sorcerie*, unlesse it were conjuring the spirit of *Errour* into a *Cordiall*.

Thus

Thus having given you an account of these persons, and passages, I cannot but observe these things.

First, the *Reasons* which all these men might propound to themselves, for doing and saying what they did. Alas, we must look at them as men who had left their estates, friends, pleasures of their native soyl, spirituall *Chymists*, extracting the sweetnesse of all into freedom of conscience, doubting not but they might find all in that *Elixar*; but as no *Chymist* yet got it, so they were many of them deceived; which when they surveyed, and see the result, it might trouble the weaker, and through melancholy fumes dispose them to strange fancies in Divinity.

Secondly, the verdict of the *Court* upon them all, *contempt*, which surely must proceed from the strong impression that the supposed contempt of Mr. *Wheelwright* made in the fancie of the *Governor*; by reason of which prepossession he could conceive no other crime, else it cannot but seem strange, that there should be such a *sympathy*, that so many men and women too, whose sex may inequalize and difference much, should all run into the same *præmunire*. Such a continuity of spirits as this consent of theirs must suppose, would be a good principle of the Art of the Weapon-salve. I give this watch-word to you all, that you are disgraced *in omni gradu naturæ intellectivæ ac practicæ*: he goes first from *practicks*, then to *doctrinals*, then again to *practicks*; thus he runs in a *circle* of abuse. In the understanding he weakens you two wayes, by an inordination of things and tearms; of things, in the errors; of tearms, in the unfavoury speeches (as he calls them;) in practise, by all the possible differences

differences of exorbitancie, *pride, boldnesse, insolence, deceit, contempt, sedition, schisme*; all which are indifferently, and indistinctly charged upon you in the Preface, so that indeed who reads it would think you all equally guilty: and had I any *premisses* of the same nature, concerning some of you, as I have concerning Mr. *Wheelwright*, I should vindicate you, as I do him. But seeing I have not, I must apply my self to him particularly, and free him from those errors and unfavoury speeches, wherein I do but proceed according to the Rule of *Art* which attends *principale analogatum*, which by his own saying in his 31. *pag.* is Mr. *Wheelwright*; Now, saith he, *all these, except Mr. Wh: were but young branches, &c.*

The way wherby I must vindicate Mr. *Wheelwright* is from my Authors own lines in his 42. *page*, where he tells us of the opinions which he (*viz.* Mr. *Wh:*) opposed being these.

* 9 * First, *That there are immediate revelations without the Word.* Secondly, *That the child of God is dead, not acting at all, but as Christ acts in him.* Thirdly, *that there is no inherent righteousness in the Saints.* Fourthly, *that the Commandment is a dead letter.* Now if Mr. *Wheelwright* (as the Author gives us) do abhor these positions, let right reason, and the strength of *consequence* judge whether he can be justly entituled either to the unfavourie speeches, or to any of the errors; And first for the *unfavoury speeches.* If Mr. *Wheelwright* oppugne the opinion of *immediate revelations*, how can he say that evidencing justification by sanctification favours of *Rome*? For if he denie immediate,

ate, he must grant mediate: And that *mediante verbo*, either in an absolute, (as he grants at the first) or in a conditionall promise, as he holds at the *second evidence*; And many can witness who have heard him approve evidence of justification by sanctification, but what need of that? doth it not appear in the *principles*, they themselves do happily give me?

How can he hold, he is never the worse for being unholy, nor the better for being holy, when he grants evidence from holiness?

Or how can he say, if *Christ* will let me sin, let him; when as he holds Christians have life in themselves, a *principle* from which they act. Surely M. *Wheelwright* hath so much Logick, as to know *frustra fit potentia quæ non reducitur in actum*.

Or how can he say, *I seek not grace but Christ*, if it be meant in *contempt* of graces? would any man neglect his *evidences*? unless he mean thus? I seek not graces *ultimate & resolute*, not as the supreme but subordinate end, not as *principium imperativum*, but *directivum*, not as *quod*, but as *quo*, not to rest in them, but to move by them to the *place* of rest: which if he mean, it is not unfavoury, but favours of *sublimated* purity and grace.

Or how can he say, [*I know I am Christs, not because I do crucifie the flesh, but because I do not;*] when he expects testimony of salvation by such acts of crucifying?

Or this, *If Christ be my sanctification, what need I look for any thing to evidence my justification*, when as it is of the

the same nature with the former, and lies exposed to the same inconsistency?

Now I come to the first number of errors, wherein although many things be *coincident* with the former unfavourable speeches, and with the latter number, yet I shall give you an exact account of the particulars: and as for the first of them which is, *That the preaching of the Law is of no use to drive a man to Christ*: How can he hold it, when as he saith, Faith comes by hearing the Word? Now if he allow the Word in *Actu completivo*, in the completure and ἐντελεχείᾳ of a Christians mind, much more in some preparatorie and dispositive acts, as is *drawing to Christ*; * 10 know, that reason gives that a dispositive to which it will not give a completive power, as to cold in *generation*, as the Philosophers say; surely where *completion* is allowed, much more *disposition*.

Or the second, *That a man is united to Christ without faith, yea from eternity*: If it be meant respecting Gods decree, it is true; but if actually, how can Mr. *Wheelwright* hold it, when as he grants there is something on mans part to receive Christ?

Or the third, *viz. That faith is not a mans receiving of Christ, but a mans perceiving it*: this is true if *de reflexo actu*; false, if *de directo actu*: what matter in this? This is a meer equivocation, you might have spared this, but you must fill up the *Number*.

For the fourth, *That a man is united to Christ without any act of his*: it is the same with the second, and may receive the same answer.

For

For the fifth, which is, *That a man hath never effectually Christ till he hath assurance*: it is the same with the third, and is true if meant *de certitudine objecti*: but if *subjecti*, how can Mr. *Wh*: hold it, when as he holds the use of signes, to confirm faith in the regenerate? Which must needs allow it some latitude, and not limit it to a meer *plephory*; and surely one man never held the fourth opinion and this too; that saying, that a man is united to Christ without any act of his, this, that a man cannot be Christs till he have acted, *viz. reflected*; these were not so considerably jumbled together, especially being *one factions brood*, as he saith. I wonder that having such opportunity to *hang these brats up against the Sun*, he did not hang these further one off the other. For the sixt, which is, that the witnes of the Spirit is meerly immediate, without any respect to the Word, how can Mr. *Wh*: hold it when as he opposed the opinion of immediate revelation?

The seventh is, *When a man hath the witnesse of the Spirit he never doubts more*: How can Mr. *Wh*: hold this if he know what doubt means, being *motus super utramque partem contradictionis*: when as he grants preventives of the motion or deviation betwixt these two tearms; in granting confirmation, which is a supply of a defect, or an *accessary* to a *principall* exposed to some degree of doubt?

For the ninth, it fals the same with this former, and being in the same conclusion, onely differenced by a supposed case or occasion, it will not call for a speciall answer.

The tenth is, *Sanctification can be no evidence of a mans good estate*; How can Mr. *Wh*: hold this when as he op-
pugnes

pugnes immediate revelations without the word? Why then he must grant mediate; and why may not that word refer to sanctitie?

The 12. *viz. No comfort can be had from any conditionall promise*: How can it * be asserted by him, who grants evidence from *Sanctification*, which evidence must needs run in the *Channell* of some conditionall promise, if not so formally, yet virtually and by way of resolution.

The 12. is, *that to see I have no grace at all, is true poverty of spirit*, and it comes to the same with some of the former.

The 13 is, *That the graces of Saints and hypocrites differ not*: How can there be evidence from them unlessse they differ? It may be this is the meaning, they differ not by any positive thing *superadded*, but precisely in their owne *Natures*, and are not so properly called *different* as *diverse*; but this is a meere nicetie.

The 14 *A hypocrite may have Adams graces which he had in his innocencie*: it comes to the same sense with the former.

The 15 is this, *All graces are in Christ as in the subject, and so in us as Christ is in us, and no otherwaies*; which cannot be attributed to Mr. *Wh.* when as he holds (as before we said) evidence from graces, which could not be, unlessse they were in us, as in the *primary and immediat subject*; neither did he ever make Christ the *formall principle* of such actions, as beleiving and repenting, which this tenent concludes.

The 16, which is this, *Christ is the new creature*; how
can

can Mr. *Wh.* hold it, when he grants evidence from the new creation of graces in us?

The 17. *God loves a man never the better for being holy, nor the worse for being unholy:* how can he defend it? who grants manifestation of Gods favour in the way of holinesse?

The 18. *Sinne in a child of God must never trouble him;* which opinion is apparently reducible.

The 19. is, *Trouble in conscience for sinne, shewes a man to be under a Covenant of works;* how can he hold it, when as he makes accompt, trouble for sinne in the Nature of a grace, *proportionally* shews a man to be under a Covenant of grace?

The 20. *A Christian is not bound to the Law:* how can he think it, who expects comfort in a way of sanctity the *Ectype* of the Law?

For the 21. *All Covenants made to God in words are Legall;* how can he be guilty of it, who holds *Religion* and *Pietie* requisite in the Saints? which surely must needs discover it self, in some godly vowes and resolutions; unlesse we will restraine it *ad actum primum*, which were absurd: Perhaps this was in opposition to Mr. *Wels* his strict Covenant; *never to break Sabbath more, never to think idle thought more, &c.*

The 22. *A Christian is not bound to pray except the Spirit move him;* How can Mr. *Wh.* hold it, when (as before) he commits his life to the rectory of the Law, which bids him pray continually? what need he stay till the Spirit moves * any further, when as he grants the * 12 Spirit moves only in the word? what need he expect

the

the *antecedent* motion of the Spirit, who faith, he must begin to pray that he may have the *concomitant*? why should he suspend this holy action for an *Immediate dictate*, whenas he grants Christians have a *principle* of life, from which they can act? how can the man so sound in the *premisses* think himself not bound to pray, but when the Spirit moves him?

The 23. is this, *A man who hath not this new light, is not able to edifie others who have it*: I suppose they mean another, *quatenus* another, and so the position is true *in formali*, for *nil dat quod non habet*, but then the word *quatenus* must be taken *reduplicative*, and not *specificative*, unlesse by the tearme they attend the *respective* entitie, in regard of which it must be denied *directly* and *per se* only too, not *per accidens*; in these senses, the assertion is true: but if we consider the *materiale*, and so they accompt the præcedent errors light, I deny it to be truth, for such light (which I shaddow Mr. *Wh.* from) is indeed darknes, and the light which our Author would præferre to shame Mr. *Wh.* is very dull, as will appeare; and in the meane time, I must apply that saying both to this *Opinionist*, and to my *Author*, *If the light that is in you be darknesse, how great is that darknesse?*

The 24. is, *That the whole Letter of the Scripture holds forth a Covenant of works*; it is true in some sense: *example*, Christ bids the young man keep the Commandements in order to eternall life; This in the letter *pretends* to a Covenant Legall, whilst in its *Anagoge* it intends Christ the Authour of sufficiencie, and so pitches upon the Covenant of grace; but that the whole Letter doth so, cannot bee

Mr.

Mr. *Wh.* assertion, when he applies him self to the Law as a competent *Director*, which he could not do if he did look at it, as pitching upon a Covenant of works?

The 25. is this, *No Christian must be pressed to duties of holinesse*, which in regard of the good expected by Mr. *Wh.* from holines cannot be his doctrine.

The 26. *No Christian must be exhorted to Faith, Love, &c.* admits the same answer.

The 27. is, *A man may have all graces and yet want Christ*; Indeed he may have representations of them, graces *æquivoce*, but not true graces; and if true not as *Synonymous* to saving, but as opposed to fained; but in the evill sense, how can Mr. *Wh.* hold it, when as he *attributes* unto graces, power to evidence Christ?

The 28. is, *A beleivers Activity is only to act to sinne*; This position implies Christ the *formall principle* of vertuous Acts; which conceit wee before excused Mr. *Wh.* from. Indeed, how can it be ascribed to him who (as our Authour tells us) opposed this tenent (viz.) that a Christian is, (*that is his phrase*) a dead lump not acting at all?

* Thus I have runne through the *unsavory speeches*, * 13 and the first scroule of errours; I come to the other scroule, being 82. Why might not all these positions have been put in one *Number*, as well as in so many? I should think, were he not a *New-Englandman*, that he intended some mystery in the *Number of 3*, which he so oft prefers, first in his *Title, Rise, Raigne, Ruin, Familists, Libertines, Antinomians, censures of Church, proceedings of Court, Judgments of heaven upon them*, and here with his three parcels; but
surely

surely the good man is no *Pythagorist*, but a *Platonist* rather, which his separate *Idea*, contempt, and sedition, not properties of the men to whom he attributes them, *Chimeraes* only of his restlesse braine, declare him; but howsoever if he did purpose a *Numerary spell*, seeing thereby he doth many times repeate, I shall conjure him downe with meere Figures somtimes: my meaning is, that in regard of the *recidence*, not in sense only, but words many of them into the former, I would be excused though I do not give you a Particular accompt, as before, for although our *Authour* hath lavishly *tautologized*, which perhaps may be Natural to him, and so scarce admit a *Criticisme*, yet I will not trace him, unwilling to oppresse the *Reader*, and draw my selfe into the same height of babling; Nor let any think I hereby seek elusion, *verbum sat sapienti*, let such examine.

For the first ten they are easily reducible.

The 11. is, *As Christ was once made flesh, so is he in us ere we be carried to perfection*; This proposition, as many other we shall meet withall, is wrapt in such mysticall terms, as it scarce falls under the common rules of construction; but if this tenet intends *Hypostaticall union*, how can Mr. *Wh.* approve it, when as by the Authours confession he opposed that Doctrine which sayes; *Beleivers act not at all, but Christ acts in them, and doth* (as before named) *formally beleive and formally repent*, which Mr. *Wh.* could not rationally contradict, if he patronized this notion; which being granted, a believer should not *proximately* believe and repent, but Christ must obtaine *rationem formalis principii* in him.

For

For the 12. 13. 14. 15. 16. to the 24. they are in the *categorie* of those before pretermitted, as reducible to the former.

The 24. is this, *That he who hath the Seale of the Spirit may judge of an elect person*; According to this Assertion, one Seale must at once make two *Characters*: which opinion I must tell mine Author plainly, his principles, and his parties, rather lead to then Mr. *Wh.* for a *respective impression*, in order to graces inherent, (such as theirs is pretended) may in all reason sooner by the same virtue whereby it shews to one his own Election, shew to him the Election of another in whom the same perfections may be apparent, then an *Irrespective & absolute impression*, such as Mr. *Wh.* is accounted, as will be seen in their opinions concerning evidence of salvation; however, how can Mr. *Wh.* own this, unless he either think Gods eternall Decree attendeth some quality, the *Symbolicalness* of which might direct him in his censure? or unless he hold *Immediat* * revela- * 14 tions without the Word, within it there being no such *pertinences*? Or unless he presume to look in *speculo Trinitatis*? Which Mr. *Welds* seems to do, whilst he tells us *what God hath pardoned in heaven*, and to *whom he purposes his immediate* punishments on earth.

By our Reason of *coincidence* we passe to the 28. which is the first we can find challenging a particular answer, and that scarcely too; it is this: *To affirm, there must be faith on mans part, to receive Christ, is to undermine Christ*: this is nothing, but an *efflux* of the former fancie of *hypostaticall* union; the use of faith is to apprehend Christ *sub conceptu formali*:

formali: the effect of which is a *spirituall* union, not at all in that which may be more *physically* looked at, *viz.* the *hypostaticall*: The next considerable is the 33., which is this. *To act by vertue of a command is legall.* This is Mr. Wh. which taken *cum grano salis*, will be savoury enough. Let us know to act legally may be taken two wayes: *Vel non attendendo principium effectivum actionis, vel formale sive exemplare.* In the first Reason, they act legally who think to do things in their own strength *formally*. In the second, they act legally who think to do so *constructivè*, and by way of interpretation, such as the *Gospels young man*, who did fulfill the Commandments *sub ratione particulari*. In which act he expected vertue from Christ, and so in the first sense acted not legally. But he did not, *sub ratione magis universali, & eminentiori*, and therefore he acted legally in my second sense. In his *Accesse* to the Law under its *typicall* and immediate pretence, was his *évoula* in his *recede* from it under its *reflexive intention*, and true Evangelicall *Tropologie* was his *àvoula*. To act *legally* is to recede from the virtue, by which one is to act; which virtue of Christ is *vel Christi tanquam efficientis, vel tanquam Ideæ*. To act by vertue of a command, that is, immediately from it, is, *Vel immediatione virtutis, vel suppositi*: they who act by strength of a command in this first sense, attend not Christ either in the reason of an *efficient* or *Ideæ*, and so must needs act legally both wayes. For the command hath a twofold *habitude*, *directive* and *objective*, he who acts immediately from the *directive* order of the Law, acts legally, *non attingendo Christum ut Ideam*: he who acts immediately from the *objective*,

jective, acts legally, *Non attingendo Christum, ut efficientem*. And thus its true, to act by virtue of a command is legall; but if it be meant *immediatione suppositi* (not that I think a command hath properly *suppositivitate*, but onely *aliquid Analogum*, which reaches my notion and intent) it is not true, that to act by virtue of a command is legall.

The next considerable is the 41. which is this: *There be distinct seasons of the workings of the persons in the sacred Trinity, so that a man may be said to be thus long under the work of the Father, and thus long under the work of the Son, and thus long under the work of the holy Ghost*. If by this, we are so long under the Father, be intended onely an exclusion of the Son in some *eminence*, and degree of at- * tribution. It is not against that *received maxime*, * 15 *Opera Trinitatis ad extra sunt indivisa*: and the generall opinion of Divines excuses it from a *paradox*; For what more common then to attribute redemption to the Son? consolation to the holy Ghost? What more usuall then to say, the Father humbles, the Son raises up, the holy Ghost comforts? Touching which, I thus conceive; that the very same *individed essence* as it doth put on divers reasons or *notions* (as the Schoolmen speak) is said to perform divers actions not by a *simple exclusion* of the *Attributes* of any of them in this or that Act, but onely *secundum quid*, *Notionally*, as we may conceive, according to the common *quid-ditie*. The Father is in himself, and so produces a Son of comfort, by reflection, he loves that issue, and so educeth illumination; in this sense, *Opera ad extra sunt divisa*, for from the division *ad intra*, why may there not follow a proportionall

portionall divifion *ad extra* too? feeing the relations of thofe divided acts are reall, and *extra intellectum*, which would otherwife plead Reason for their limitation; I fay why may they not have fome effect upon the acts *ad extra* too? and make them in fome fenfe *divifa*? And if it be improper to fay, *Deus eft trium personarum*, but onely *essentia eft trium*, &c. why may there not be fome impropriety to fay (I mean in oppofition to the above-named Doctrine) that, *Deus eft trium Actuum* refpectively, when as thefe acts do in the common opinion attend thofe *relations*? But if an abfolute and fimple divifion be intended, Mr. *Wh.* cannot hold it; when (as it is very abfurd in it felf, fo) his doctrine of *evidence by fanctification*, where there muft be Chriffs *attractive*, and the Spirits *illuminative* power, and of fignes which require a concurrence, proclaims.

The next is this, *Conditionall promifes are legall*: If it be meant that they are in a legall form, its true, whether *caufaliter* or *confequutive*; But if it be meant that they are legall *virtually*, and fo not to be made ufe of in the time of the *Gofpel*, how can Mr. *Wh.* hold it, when as he grants evidence from graces, conditionall promifes being the *current* wherein fuch evidences paffe?

The next confiderable is this: to *lay the Brethren under a covenant of works hurts not at all, but tends to much good*. What did I fay confiderable? a pofition ftrangely produced as it were in an indiffernce twixt truth and errour: if it be prefented as an errour, we muft needs by reafon of the indefinitenes of the phrafe fuppofe all Brethren to be under *a covenant of grace*. If it be a truth, what doth it among
 errours?

errors? to make even number? What shall we say? its neither true nor false, but stands in a pure precision; he imagined though perhaps that the confinity of errors (wherein observe how his malice multiplies heresies upon them) would determine its *neutrality*, and hereupon ingages at once all his *Metaphysicks* to effect an abstraction which he might * have reserved till an exigence, and * 16 in the mean while have referred this *Janus* to the unfavoury speeches with which it most *symbolizes*. But he was afraid, lest it so easily seasonable either way, should have seasoned them, which he prefers to disrelish the appetite of the *Reader*, to the parties concerned in his Narration. But he saith, if it be good to lay the Brethren under a Covenant of works, then it is good to bite one another: which argument is much like one of his brats he hangs up against the Sun.

The next is this: *Faith justifies an unbeliever*. If the sense be, that the faith subjected in Christ justifies me in whom there is not any, its false: if you take it in *sensu composito*, it is so, if *in diviso*, its true. I wonder such grave discursists (as my Author by his style seems) should with these poore subtilties put us upon such *elementary distinctions*, in resolving which *Simth's* Logick will claim a principall share. But perhaps he did it to evade a more solid reply, thinking no *Eagle* would catch such flies. Which way of his is in the mean time my advantage, whilest by meddling only in my *sphere* I cannot be said to presume, which encourages me yet to tell him that this opinion is a
consecrarie

confeſſarie of theirs, who deny graces in the Saints, not of Mr. *Wh.* doctrine who grants them.

The reſt of the Aſſertions are either coincident, or ſuch as concern Church Diſcipline, wherein diſagreement is not pretended.

Thus we have done with his *pretended errors*. Now we come to his pretended Crimes, *viz. contempt and ſedition*; which the Court pickt out of a Sermon of his, he preached upon a Faſt-day deſigned for peace, the ſubſtance whereof was this: Chriſts abſence is a main cauſe of faſting, therefore labour for him revealed in the Covenant of grace; peace is to be fought in ſuch a drawing neer the *God of peace*; and oppoſe thoſe by contending for the faith, but ſpiritually, who go the way of the Covenant of works (as in that thing) (wherein indeed they are oppoſite to the end of the day) as enemies to grace, and in that reſpect perſecutors of Chriſt, as (which word I ſuppoſe is, *sicut qualitatis* onely) *Herod, Pilat,* and the *Jews*. This is the *doctrine* wherein the ſpirit of *ſedition and contempt* breathes according to their opinion; I will therefore briefly leaving the fuller diſcuſſion to *Statists*, (by ſome of which Mr. *Wh.* hath been already cleared,) examine.

Contemptus eſt ex hoc quod aliquis renuit ſubjici legi bonæ; conferre, the Magiſtrates publiſh a Faſt in order to peace, whether this publication have the compleat Nature of a Law, let others determine. But admit, Mr. *Wh.* whileſt he tels them, peace is the moſt eaſily attainable in *Chriſt*, to whom they muſt apply themſelves in a Covenant of grace, twarts not their Law, unleſſe it had expreſſed the
method

method which the *Minister* must use, or unlesse Mr.

Wh: * had done that, the contrary of which it did * 17 necessarily imply; But there is no such matter, for in his generall terme, a *Covenant of grace*, he could not be inordinate, but admit *explication*, though it might render suspicion of unsoundnesse in doctrine; yet not suspicion, much lesse apparency of disobedience to civill discipline, therefore what neglect of Authority was here, when neither the expression nor constructive intention of their Mandate was crossed? Or, if it had been, yet not the primary end, and so could not constitute such an offence: As for *finis operantis*, the ends they themselves reserved, how could he attend? unlesse we either suppose a *coincidence*, or unlesse they think it requisite, Clergie-men should study *Mysteries of State*, or unlesse (which they seem to abhor) he should have expected immediate revelation of them? [*Renuit*] *he will not*; that presupposes admonition, and supposes contumacie, Mr. *Wh:* had no such preparatories; If he had reiterated the discourse, though innocent, there had been more *pretence*. But grant further he had, yet a meer repetition makes not frequency; But admit, yet *frequentia peccati non facit peccatum ex contemptu, sed disponit ad hoc*: according to *Aquinas*. It is far then from contempt, which is not so much as a bare disposition towards it? what if he did (this as a supposition, onely) decline the next purpose of the day? yet if he did reach it more eminently by setting up *Christ*, whose absence he told them was the cause of fasting, must he have these crimes attributed to him, because he did so concisely compleat their desires? might they not have taken up themselves

selves twixt his supposed *recede*, and *relapse* before they proceeded to censure? But our Author saith, (*pag. 52.* wherein he intends aggravation) *whereas Mr. Cotton urged peace, Mr. Wh. contention in the afternoon*: Yes, but it was spirituall, and for a Covenant of grace too: the way of peace, as in that generality, cannot be denied. The spirits of men in Winter (as it was then) have too much asperity in the morning to be trusted with *zealotismes*, which in the afternoon their more mollified dispositions may admit: but more *seriously*: what would this man have by this *circumstance*? where is the sence of it? or how aggravates it? would he have had Mr. *Wh.* Text to have been imposed by the Court? were not that to limit the Spirit? or would he have had him betwixt forenoon and evening Exercise, not being half an houres space, by reason of the *directive* Sermon, to have purified his meditations into such a *complexion*? Or would he have had him seeing there was no time, to change his *text*, or his *Notions*, to have desisted before his *paroxysme*? Alas! so the Church as well as the State might have apprehended contempt. Or if he had in such an Auditory adventured upon an extemporarie discourse, would not your Moderatists construction have pitched upon *neglect*? But what need of all this? Mr. *Cotton* and *He* agreed in

* 18 * the main, both their labours directed to the same scope, (*viz.* to bring men to *Christ*, the difference of *precision*, and degrees of heat allowed: so that if his Sermon offered violence to the day, yet where is that which is pretended to the *State*? Admit *incongruity*, yet where is the *contempt*? If it had been any thing, it had rather been in-

discretion

discretion then contempt; and rather *indisposition* than indifference.

But they say, *By those under a covenant of works, he meant them, some Magistrates and some Ministers; and that he knew they went the way which he described to be a covenant of works.* Admit, yet his expressions from the Pulpit in the common Rules of construction can have no such reference: Or suppose they might have reference, yet not of *causality* but *connexion* onely, which would give no advantage to *secular* power, or *Ecclesiasticall* either. But further, grant a reference of *causality*, that may be concerned in the Authority of the *keyes*, not of the *Court*.

He instances in that difference of *Protestants* and *Papists*, *sub una & sub utraq;* as a paralell case; but it is not, for those tearms did denote upon the free acknowledgement of the right of their respective attributions: it is not so in this matter, where the phrase *Under the Covenant of works*, is not confessed by the *Magistrates*, &c. as their condition; therefore to say under a *covenant of works*, and under a *covenant of grace*, is not as much as to say, *Magistrates*, &c. and *some others*, there being much distance twixt this occasion and the former.

He would at length puzzle the people with subtilties, whilst he talks of designation to common intendments, saying, *That which designs a man to common intendments doth as much as if it should name the man;* Which phrase if applied must presume, that the *Magistrats* and *Ministers* he pleads for, are by that member of the division *under a Covenant of works*: commonly intended, A pretty peece of
work,

work, wherein to give you his upshot, first he contradicts himself, secondly, totally excuses Mr. *Wh.* thirdly, he accuses his own partie more than ever any did. A brave Champion, first he contradicts himself in saying, *these things were never heard of before Mr. Wh. came into the country;* p. 24. whereas it seems it was *vox populi* before, for he was then but newly arrived, and this the first time he shewed himself in that publick way.

Secondly, he excuseth Mr. *Wh.* for when to stopp his mouth, we had halfe allowed him *indiscretion* in that Sermon of Mr. *Wh.* yet he will needs cleere him from it, by implying that through the common rumour of *Magistrates, &c.* walking the way of the Covenant of works, there might be occasion ministred unto him, and need for such a discourse.

Thirdly, he accuseth both the *Magistrates* and *Min-*
 * 19 *isters*, more then any *yet did, by intimating a precedent continued, and manifest addiction of theirs to *Legalisme*, whil'st he declares them commonly intended by that expression, *under a Covenant of works*, and by the general opinion of the people wrapt in it.

This was a great oversight, unlesse by a check of his conscience suggesting Mr. *Wh.* innocencie, he was moved to vindicate him secretly from crime, and therefore would *mystically* do it in the word *Intendment*, to purge his heart from malignity of opinion.

And whereas he saith, p. 25. *The former Magistrates and Ministers had great disrespect after Mr. Wh. his Sermon,* which he saith, was the cause of it.

I answer, First, It is not known that ever they had any notable neglect.

Secondly, Admit, yet his inference may intitle the *Gospel* to fedition.

Thirdly, The inequality of observance did not proceed from any effect Mr. *Wh.* Sermon had upon them; as in that instance of the *Halberds*, the former Governor having more carried before him then his *successour*; and in the expeditions against the *Pequeds*, but from the affection which some designed to those offices, bore to the then Governor Sr. *He: Vain*, who by his noble, affable and discreet carriage, engaged their utmost attendance; where observe the edge of Malice, which when it dare not suppressed by fear, openly, yet secretly it will fix, though he do not inroll Sr. *Henry* amongst Familists, &c. Though he will not say, he was such a *Sectary*, yet whilst he talks of his preferment above the following *Governor*, as an Issue of Mr. *Wh:* Sermon, upon his own *premisses*, he necessarily inferrs it.

And wheras he saith, *That before Mr. Wh. came over, all things were peaceable, after his arrivall, nothing but division.* I answer: First, he *contradicts* himself, for he tels us Mrs. *Hutchinson* vented her Opinions in the ship as she came over, *pa.* 31. he tels us, she drew many to her, *pa.* 32. he tels us, she procured countenance from eminent persons, *pa.* 33. hence (saith he) *was the trouble to the Pastor of Boston*, &c. hence, saith he, Mr. *Wh:* took courage to *inveigh in his Sermon*, &c. It seems then there was Divisions before Mr. *Wh:* Sermon, and that it was an effect of them

them rather than a cause. Secondly, there was a company in the *Bay* before he came, who upon supposition of 2 parties, one under the *Covenant of works*, the other themselves under the *Covenant of grace*, had resolved upon schisme, expecting onely a beck from the Pulpit; which when by reason of Mr. *Wh.* naming a *Covenant* of works and of *grace*, (though not with any such *pertinence*, their prepared *phanfies*, thought they had) they took this *Idoll* of their own brains, for a *providence* of heaven, and hereupon sacrificed their *premeditated* endeavours to it, as it had been the

Image which fell down from *Jupiter*; which *doing* of
 * 20 theirs Mr. *Wh.* was not accessary to, their *pre-tended*

Covenant of grace being composed of *errours*, his covenant of *grace* which to decline *legalisme* he preferred, being free from them, carrying along with it the *grace of the covenant*. He tels us, *pa.* 26. of a writing which much concerned Mr. *Wh.* to read, that might be; it may be it was our *Authors*, for all his (as he saith of his book) are necessary for *States*, much more for private *persons*; but it seems Mr. *Wh.* was so dull as not to conceive the *necessity*, for he *did not read it, as we are told*; what then? perhaps he was otherwise employed: But what saies the man? *Which did argue* (saith he) *the height and pride of his spirit*: what need these synonyma? were not pride enough? this argues my *Authors* malice and virulencie; but is he not ashamed to talk still of arguing, when his *Independent* brain hath bewrayed such inconsequence? Let him never think hereafter with any *judicious* Reader to be reputed for a *sylogist*: but if he think he shall hide his talent unlesse he
 employ

employ the Presse, let him rather (as one said) *write meer history, and such too where in partiall respects may not byasse him to errour.* Which way (as though he presaged dislike of his *controversall* discourses) he hath already taken in his *book*, now at the Presse, called, *A Narration of the practise of N. E.* wherein he may do (as in things that fall under his *sense*) much better, then in *polemicall* Effayes, where he doth but *lose* himself, and *over-ballace* his muddy *intellectualls*.

Nay so vast is my *Author* in his apprehension of pernicious effects from Mr. *Wh:* Sermon, that he would make people beleeve, it not onely moved all Societies on the Land, but that it had its influence upon *vessels* at Sea (*thats his phrase*) *How, saith he, did it hinder all affairs in Courts, in Towns, in Families, in vessels at Sea? pa. 58.* As though it had been like *that commotion of the earth lately there, which Ships at a great distance felt;* as though Mr. *Wh:* had made an *Earthquake* amongst them. Whereas (which I hope the Reader will conceive) it was nothing but *N. E. cald* a *Trepidation* of the *spheres* in that New *Heaven,* *a New* &c. *Heaven.*

Another pretended crime of his, is *sedition*, which is thus defined: *Seditio est præparatio ad impugnationem corporalem;* A preparation to a bodily fight: now how did Mr. *Wh:* Sermon prepare for such a fight? He bids them indeed in the Apostles expression *contend for the faith,* &c. but he designs (as before we shewed) no parties. Or if he had, it was to a spirituall *conflict*, as he explain'd himself, which respects not civill unity, or *unitatem Juris*, as *sedition* doth,

doth, but *Ecclesiastique*; and so at the most it could be but *schisme*; and not that neither, unlesse his doctrine be proved *contra utilitatem*, and so be errour. Nay, that is not enough neither, unlesse it were in *fundamentals*, and so might be called *heresie*; for *schisma* alwayes *sibi aliquam confingat heresin*, *schisme* is ever attended with *heresie* in the opinion of the learned: nor is all this sufficient to bring it under the censure of the Church it self, unlesse it be *per se*

* 21 * *intentum*: for that which is *per accidens*, no more in *morals* than in *Naturals*, can constitute a *species*, such as *sacred Authority* must proceed upon; as I said before of *contempt*, so of this, if it had been any thing it had rather been *faction* then *sedition*, and rather *schisme* then *faction*. Before my *Author* propound his reasons wherby he would fasten these *crimes* upon Mr. *Wh*: he wisely premises thus; saith he, *p. 52. Such as would receive satisfaction may, if they will read that which follows, &c. carrying this along with them, that the acts, &c.* He saith true in this, such as come prejudicate and presuming necessity of justice from *N. E.* may satisfie themselves in his *Apology*; but as for others, let them attend his descriptions, and it will appear they do as little fit Mr. *Wh*: practice as his *examples*. *Seditiosus* (saith he) *est qui facit dissensionem animorum*: good in it self, but applyed *rudiori Minerva*, if it be taken rightly, *viz. Dissention in ordine ad civilem unitatem*: lest *sedition* and *schisme* be confounded, and the word *facit* be so qualified as to exclude *accidentall*, *occasionall*, and *peristaticall* action upon mens minds, it concerns not Mr. *Wh*: case, it being necessary too, (which I may adde) that it be not onely

motu

motu prævio, but *concomitativo*, which is most intrinſick, and of the formal reaſon of *velleitie* which muſt be ſuppoſed at the leaſt in ſuch a crime, his other deſcriptions, *cum ſævit populus*, &c. and *cum eunt alii in aliud*, call for the ſame reſtrictions, and refer to the firſt.

He exemplifies to as little purpoſe, as in *Demetrius* his ſedition, and *Corah* with his complices: this is much like his *ſub una* & *ſub utraque*, as little paralell where he intends, *Demetrius* named the man, *This Paul*, &c. And ſo did *Korah* particularize, Mr. *Wh*: nothing ſo, he onely ſpoke in theſe, the *Hypotheſis* was their own, the application was theirs. My *Author* cannot make it appear their caſes are alike, unleſſe he reſume his ſublime Notion of *Deſignation to common intendments*, &c. by which he might ſalve the *Phænomena*; but we have tried that before.

That which he ſaith, *viz.* my *Author*, of Mr. *Wh*: *vehementie of ſpirit, and voyce in proclaiming them perſecuters, and Antichriſtian, who walk the way of a covenant of works*, it muſt be reckoned amongſt his *impertinences*, ſeeing the *degree doth not vary the kind*; let him be as urgent as he pleaſeth. *Salva ratione fidei, ſalva ſpecie*, whileſt he keeps within that *univerſality* againſt thoſe which are *Legalists* which he did and onely did, let me uſe my *Authors* main Argument, which we meet with preſently. Put the caſe in a *Reverſed Frame*, if my *Author* had flamed in zeal never ſo much againſt Mr. *Wh*: Sermon, or ſome of the Opinioniſts, would he have admitted that as a *topicke* of Sedition? In ſuch a *particularization* which is more than he can fix upon Mr. *Wh*: would not the equity of his cauſe have been
his

his *plea*? Doth he not therefore rove a little in this discourse? if *vehemencie of spirit and voice* infer *sedition*,
 * 22 it will be dangerous * to have good *Lungs*; let my
Author take heed he intrench not upon his *Divinity*
tenure, and inscribe that to *crime* which intitles him to the
Pulpit. But Mr. *Wh.* his *vehemencie* made him not *exor-*
bitant, he mist not the *cushion*, nor was he so fierce as my
Author was when he said, *Lye with him Devill, sleep with*
him Devill, &c. Mr. *Wh.* promoted a *Covenant of grace* by
 a spirituall *prostration* of its opposites. And this in gen-
 erall too, this is all he did: what, Pretenders to so much
 charitie, Reformation, Christian liberty? &c. A new
 Heaven and a new Earth (as some said of them) and so,
κατ' ἐξοχήν celestially, arraign, sentence, imprison, banish a
 man of their *Church* too? And as though this were not
 enough, *Inflare morienti* to fame him an *Heretique, Anti-*
nomian, seditious person, what not? and this in print, with
 all possible disgrace and *diminution*; and that after he had
 repented too (as is confessed) one upon whom he saith he
 would not reflect anything, his meaning is, I suppose, that
 the rayes of his malice should fall directly upon Mr. *Wh.*
 and all this for so small a matter? *Tanta fallacia?* &c.
 May I not retort, *Tantæne animis cœlestibus iræ?* His
 following discourse is a *Panegyrick* of *discretion*, which he
 by his usuall clapping together of Scriptures magnifies the
 more, because he conceives it wanting in Mr. *Wh.* But
 how comes it in here under his title, *viz.* a *Proof of*
Sedition and *contempt*? surely he doth not think that in-
 discretion involveth contempt. What doth this curious
 Impertinent

Impertinent mean? I should think that there were a secret and *energeticall subsidence* of all into this vice, and that in his opinion too, if he had not (as we before shewed) cleared Mr. *Wh.* from such offence. See how confused the man is, he would convict him of contempt, and yet vindicates him from indiscretion, as though that could be without this, what he means by discretion I know not. But if it be that which is usually called spirituall discerning, my *Author* did use to annex it to the *tribe*, &c.

His last and main stratagem whereby he will prevail upon the most prejudicate, and scrupulous *spirits*, is to put the case (as he saith) in a *reversed frame*, his words are these : p. 57. *But if any shall yet pretend want of satisfaction, &c. put the case in a reversed frame if some others had taught it, &c. would not Mr. Wh: and, &c. have looked at themselves as intended? Yes surely, for a proper adjunct may designe a particular company, as well as names, as Judas by the sop.* This is an excellent devise: A conjecture what Mr. *Wh:* and the other partie would have said upon the like invective: I know not what they would have said, &c. nor do I know what to say to this his master-peece of putting the case, &c. unlesse I should put it into the case. *Quid dignum tanto? &c.* Shall we neglect it? No, *the necessity of the times may call for it*, it is the very distilled quintessence of his brain, his Catholicon. We will (if we can) squeeze some sense out of it, or at the least leave it in a capacitie; if it have any force for the present, we must * suppose our *Author* knows, *per species concreatas*: * 23 But I would not reflect upon him, (as he of Mr. *Wh:*)

as

as though he had no more wit than he was born with: But what if he knew what they would say, shall their practise, or speech, which may (as they are men) proceed from *passion* direct yours? If they should take offence at a little *forwardnesse*, *freeneffe*, and *irrespectivenesse* of discourse, and beat it out as you have done into *sedition* and *contempt*, shall that be your *Apologie*? Are a company of *Familists*, *Libertines*, &c. so *authentick*? If it must be so, let Mr. *Wh.* or some

So ac- others send word what they would say, and this great
counted oration of my *Authors*, even *tota hæc Româ ruit cum*
in N. E. *viribus suis*: of all his *coincidences*, *impertinences*, *solecismes*, fruitlesse and weak *ebullitions*, this is the worst, for those may be acted upon, and refined by wit. But as for this, it may stand eternally before it can receive a good *construction*, all the colour and appearance of reason it can admit, must be expected in a message from *New England*, declaring what they would say, &c. My *Author* might do well, to *compasse Sea to make a Profelite*, to go himself thither and procure an *expresse*, but I doubt he will not, his mind doth so run *upon the sop*: where I leave him; And in the mean time I leave this high strain of his, if the winds and seas favour in a possibilitie of being cloathed with a little kind of *sense*, or the best kind of *non-sense*: Alas! poore *argument*. The case in a *reversed Frame* might better have been kept in the case then dut into the Frame.

He concludes this discourse thus; *That to lay those under a Covenant of works, who have suffered as much as himself, favours not of a brotherly spirit*, p. 58. This can be looked at no otherwayes then as an impertinence too if the Apostle
speak

peak truth: If I give my body to be burnt, &c. I do not ingage myself in the dispute, &c. onely I say *utcunque* his conclusion is not conclusive: *he makes bad premises, and worse conclusion.*

Seeing these things are so, that there is so little ground for these pretended *crimes*, seeing there can be no contempt found in Mr. *Wh. Sermon*, we will rather impute the undeserved *censures* to some other cause then to the meer malice of the *Court*, which some uncharitably do.

Whether it were a strong *imagination* of the then *Deputy* upon Mr. *Wh.* which by the power annexed to *phantasy* produced some contemptuous behaviour in him while he was before them?

Or whether it were that he, *viz.* the *Deputy*, being then occasionally in contemplation of *contempt*, and presuming of the infallibility of his *science*, being (as he thought it) not *simplicis intelligentiæ* (which is more likely) but *visionis*, which in that reason must have *aliquid externum de facto* representative of it, thereupon pitched on *contempt*, as Mr. *Wh.* delinquencie.

Or whether it were (which is *probable*, in the defpicableness of the *State*, * and especially of the then * 24 *Deputie*, late *Governor*, and in regard of the affection of the people, and that deservedly) to that worthy gentleman then *Governour*, Sir *Hen: Vain*, unlikely to return into that *preferment* speedily; I say, whether in regard of his condition, his *melancholy temper*, seconded, as observed, by a *fullen constellation* then predominant, he did absolutely determine he was *contemned*, some way, or other, and so

cum

cum nemini obtrudi potuit, he charged it upon Mr. Wh: And so *sedition*, by way of *concomitance*; *Sedition and contempt being twins*, as he used to say; howsoever Mr. Wh: was sentenced guilty of the *faults*, and thereupon *banisht*, *imprisoned* first: upon request indeed dismissed to his *family*, not to stay though above *twelve* dayes upon pain of strictest *censure*, although in a *remote place*, where they could not fear any *effect* from the *pretended vices*, &c. And although in so *cold a season* of the year, wherein I think, had he had the very *extracted spirits* of *sedition*, and *contempt*, they would have been *frozen* up, and indisposd for *Action*.

Thus saith my *Author*, p. 43. *it pleased the Lord to hear his poore people, whose souls had wept in secret, for the reproach, &c.* I desire to know of Mr. Welds what he means by *pleasing* of the Lord? whether *ratione voluntatis Determinantis, vel determinatæ*? In the mean while, let the *Reader* judge whether he have not cause to weep not onely in *secret*, but *openly* for the *reproaches* which he hath cast upon some. He goes on thus: *It is the Lords doings, and it is marvellous in our eyes.* Mr. Wh. is gone to *Pascal*, &c. what then? it was neither *contrà*, nor *præter*, nor *suprà naturam*, for Mr. Wh: to go to *Pascal*: where is the *wonder*? I confesse it was *marvellous* he got thither at that *time*, when *they expelled* him, by reason of the *deep snow* in which he might have *perished*. Whether my *Author* profane not *Scripture* in this, I will refer it to those whom in the same *page* he speaks of, *Viz his dear and beloved Brethren.*

F I N I S.



WHEELWRIGHT'S WILL.

The last will & Testam^t of y^e Reverend m^r John
Wheellwright, who: died y^e 15th of Novem^{br}
1679.

In y^e name of god Amen

May y^e 25: 1679



JOHN WHEELRIGHT Pasto^r of y^e
church of Christ att Salisbury in y^e County of
Norfolk in Newengland although aged in
yeares & weake in body yet p^{er}fect in & of a
disposed minde: Doe make & declare this
to bee my last will & Testamen^t in writing: Revokeing all
my former wills & testaments whatsoever hereto fore by
mee made & declared: ffirst I doe com^{me}nd my Soule into
y^e hands of all mighty god, confidently beleiuing in him to
bee saved through ye riches of his grace by faith in Jesus
Christ my Savio^r & redeemer: my body. I com^{me}itt to y^e
Earth in an assuered hope of a blessed resurrection of y^e
same at y^e last day to enjoy that happie fruition of y^e king-
dome p^{re}pared in heaven for all his elect

As

As concerning my estate lands, & worldly goods: I will & do dispose of them as followeth

1. I doe giue vnto my grand child Edward Lyde that part of my Messuage being & scituate in Mumby in Lincolnshaire in ould England w^{ch} part consists of Ten acres of pasture lijng & beeing in Langhum, bee it more or lesse, & all y^t land of mine w^c lieth in Minge with the lands of m^r Newcomin being in Mumby for w^{ch} my pasture in Minge y^e f^d Newcomin payeth mee three povnds [¶] ann^u as appeareth by a lease w^c hee hath of it, & it is my will that my afores^d Grand childe Edward Lyde shall have y^e afores^d part wth all y^e privilidges & appurtenances therunto beeloning to him & his heires for ever, p^{ro}vided that y^e f^d Lyde do pay or cause to bee payd vnto his mother Mary Attkinson or her order the anuall rent or p^{ro}duce of y^e say'd lands duering y^e terme of her naturall life, but in case that Edward Lyde should die before he cometh to y^e age of twenty one yeares, then I doe giue ye lands afore mentioned vnto my Sone Samuell Wheelwright vnto himfelfe & his heires forever hee paying or causing to bee payd y^e rent & produce of the sai'd lands vnto my daughter Attkinson duering y^e continuance of her naturall life.

2. I doe giue & bequeath vnto my grand daughter Mary Mavericke all y^e rest of my land being part of y^e aforesai'd messuage lijng and scituate in Mumby afores^d My house wth all y^e pasture arrable meadow & co^mones with all privilidges & appurtenances therevnto belonging to that part of my messuage being lately in y^e occupation of Earst and his widdow, vnto y^e f^d Mary Mavericke & vnto her & her heires forever, who of her body shalbe Lawfully begotten

3. I doe giue & bequeath vnto my sone in law Edw: Rishworth fifty acres of vpland & twenty acres of marsh land: & my will is after his decease I doe giue y^e f^d land & meadow wth all y^e priuiledges & appurtenances thereto belonging vnto Mary White my grand childe daughter of y^e f^d Rishworth to her & her heires for ever, & for want of such heires I giue it vnto my sone Sam^l. Wheelwright & his heires for ever wth vpland & meadow is thus to bee divided lijng in y^e township of Wells, y^e bounds on y^e South west is Ogunquet River & soe to runne y^e breadth of my farme in that part of it vntill y^e fifty acres of upland bee compleated, & twenty acres of marsh to runne y^e full breadth lijng vpon y^e Westerly end of my farme next adjoyning to or neare y^e Estermost part of y^e f^d land

4. I doe giue & bequeath unto my grand childeren Thomas & Jacob Bradbury forty pounds sterlg: a peece to each of them in currant money of New-england, by my Executo^r when they doe come vnto y^e age of ^xone & twenty ^xyears, either of them dijng before they doe come to that age then y^e p^rson Surviueing shall haue y^e whole fowerfcore pounds

5. I do giue & bequeath vnto my sone Sam^l. Wheelwright of Wells all my land lijng in y^e towne of Crafft in y^e Covnty of Lyncolne in ould England neare Waneflitt in y^e fame Covnty wth all y^e priuiledges & appurtenances therevnto belonging to him & his heires for ever and I doe further giue vnto him my aforef^d Sone Samuell all my houses lands marsh meadows scituate & being in y^e township of Wells in y^e Covnty of York in Newengland with all y^e priuiledges & appurtenances thervnto belonging

ing [excepting before excepted] that land & marsh wth by mee was giuen as aboue specified vnto my Sone in law Edward Rishworth To my afore^d sone Sam^l. Wheelwright to his heires & assignes forever: And I do further giue vnto my sone Samuel Wheelwright my clock & all my library & bookes & all my Apparrell & all ye rest of my estate & goods not disposed of in this will excepting the rents I have owing to mee in ould-england halfe wherof I do giue vnto my Executo^r & ye other halfe to bee divided equally between my three grand children William Thomas & Jacob Bradbury In case my Executo^r do recover it & if it so happen that one or more of those three children shall die before they come to age then hee or those y^t doe suruiue shall haue y^e part of him or those that are deceased

6. And further I do giue vnto my latter wyfes Childeren all my plate to bee equally divided amongst them by two indifferent p^{rs}ons chosen by themselues to make that diuission

Lastly I doe make ordeine & constitute my sone Sam^l. Whelewright of Wells afore^d to bee ye sole Executo^r of this my last will & Testament by whom care is to bee taken for payment of my iust debts & discharging of y^e legasies & funerall expences In wittnes whervnto I have herevnto affixed my hand & seale at y^e day & date hereof:

JOHN WHEELWRIGHT
wth his seale to it.

Signed & sealed in y^e
p^resence of vs

JN^o FF^lOOD

JOHN PRICE

HENRY AMBROSS

} Jn^o fflood aged 27 years testifieth y^t hee was p^resent & did see M^r Jn^o Wheelwright signe seale

seale & deliver, declare & publish this to bee his last will & Testam^t & y^t hee was of a disposing minde & all on y^e day of y^e date therof

Taken vpon Oath y^e 26th of Novem^{br} 1679 In Boston before mee

HUM: DAVIE Assist:

Henry Ambros in y^e p^resence of y^e Worshipfull Nath^{ll} Saltonstall Esq^r & Cap^t John Gillman Associate wth y^e recorder of y^e Covnty of Norfolk gaue Oath y^e 4th of Decm^{br} 1679 that hee y^e f^d Ambros saw y^e Reverend M^r Jn^o Wheelwright signe & seale & heard him publish & declare this will to bee his last will & Testam^t And that hee was then of a disposing minde & y^t y^e f^d Ambros knowes of no other: So attests

THO: BRADBURY rec^{dr}

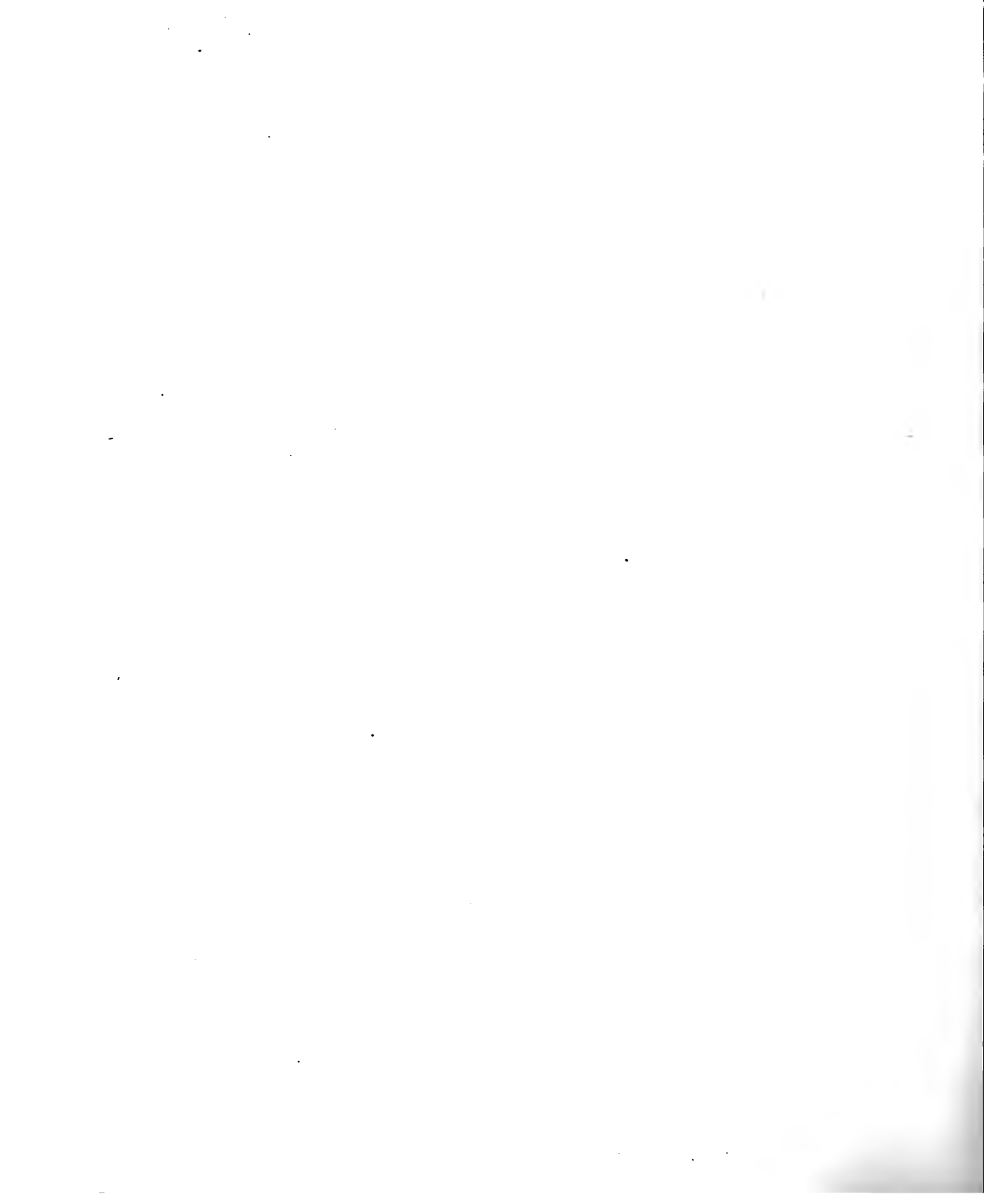
This will beeing p^resented by y^e Executo^r therein named was app^roved of & allowed of by y^e worshipfull Nath^{ll} Saltonstall assist & Cap^t Jn^o Gillman assotiate: & com^{is}s^r vpon y^e evidence aboufd: y^e 4th of Decem^{br} 1679 The Recorder of y^e Covnty being p^resent: So attests

THO: BRADBURY rec^{dr}

And y^e Executo^r is to p^resent a true inventory of y^e estate vnto y^e nex Covnty Court for Norfolke

THO: BRADBURY rec^{dr}

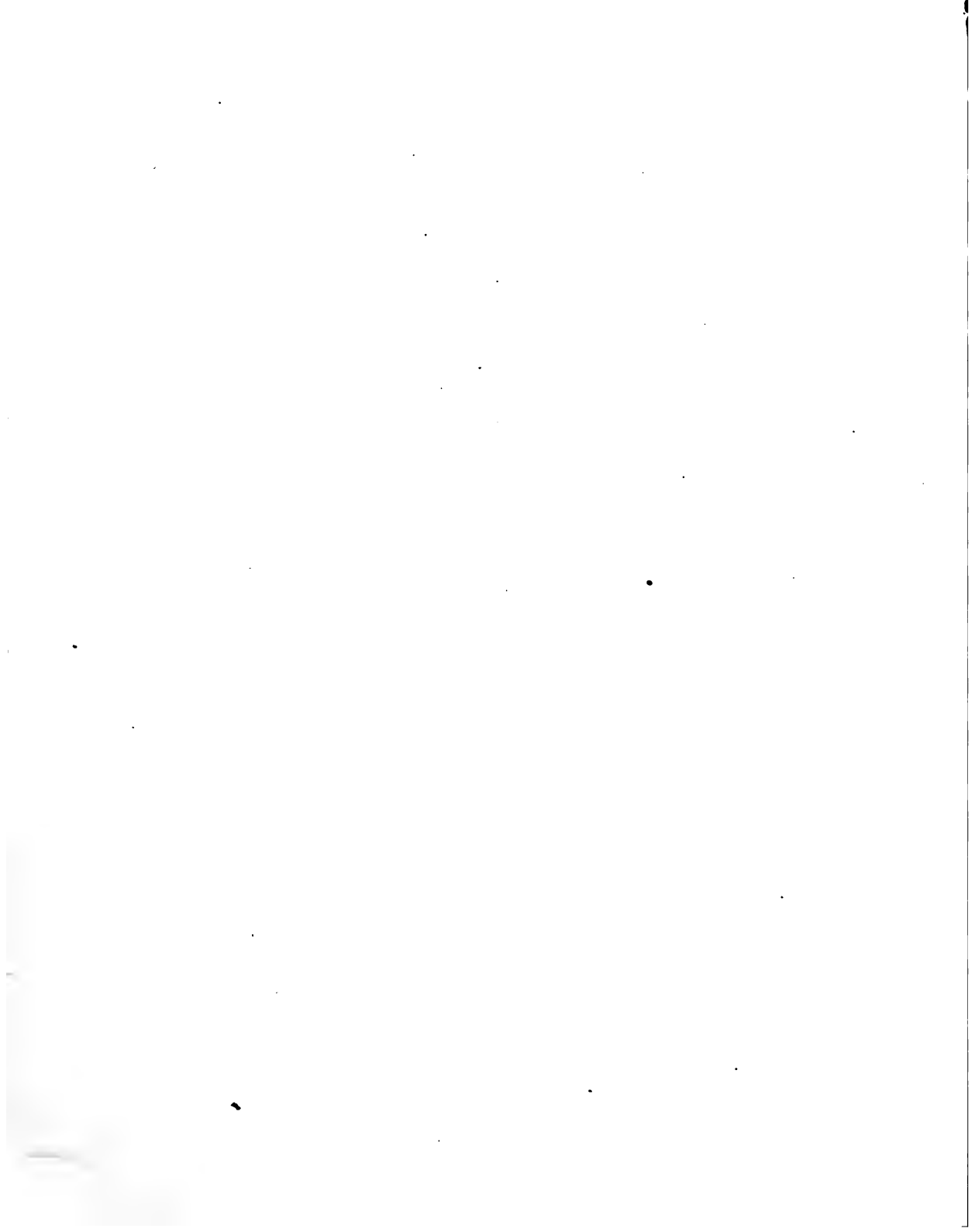
Entred y^e 5th of Decem^{br}
1679





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It is the intention of the Council to issue at least one volume annually, but not necessarily in the order in which they are placed above.

BOSTON, 18 SOMERSET STREET,
March 30, 1876.



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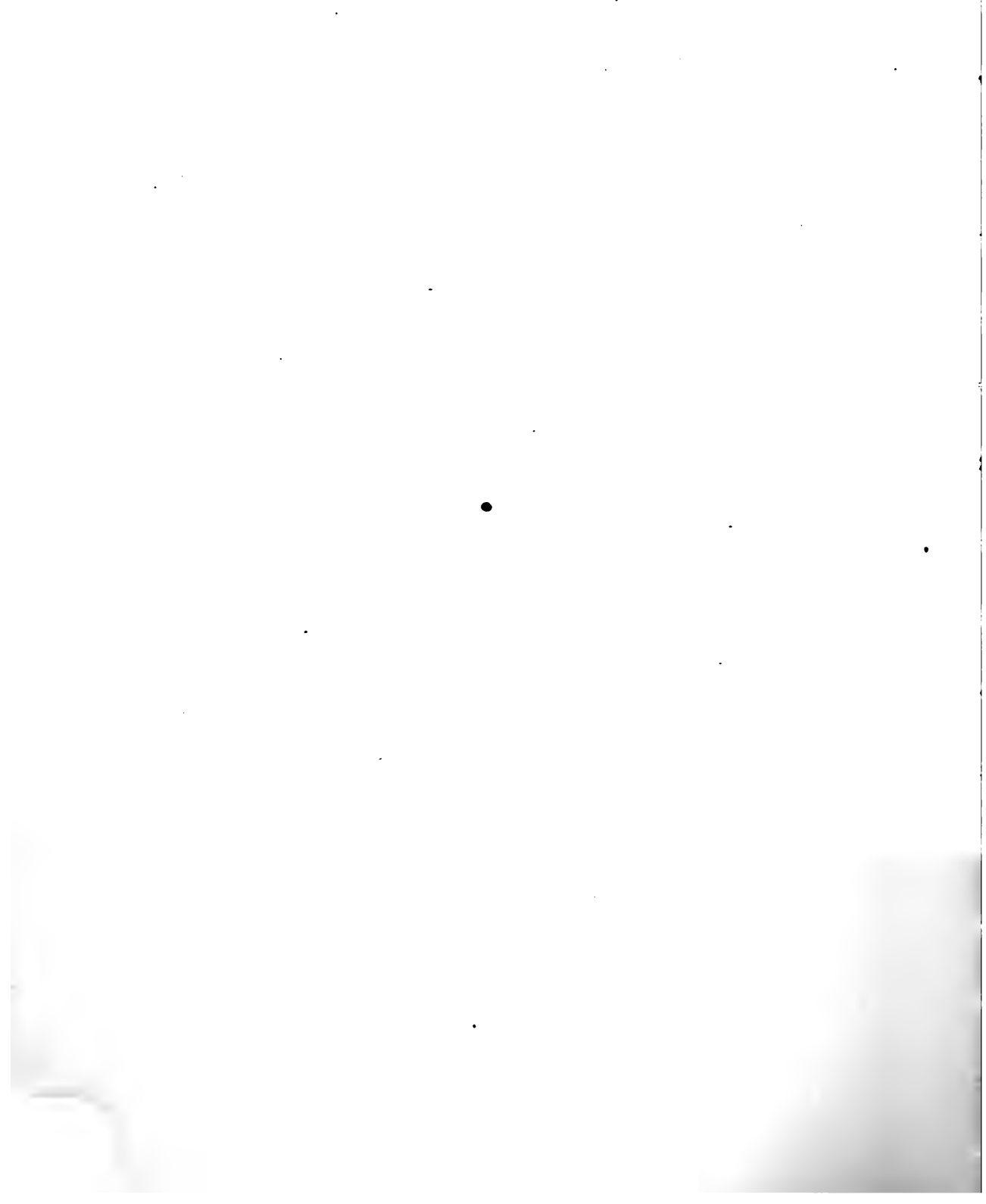
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1876.

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